Albert Goldman's Final Argument To The Jury
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NEW BOARD PLANNED TO CURB LABOR

Bill Of Rights Defenders Hold N.Y. Rally To Free 18

700 At CRDC Meeting Support Fight to Aid Defendants Convicted Under Smith Gag Act

NEW YORK, Dec.15. — Seven hundred genuine defenders of civil liberties met here tonight, on the 150th Anniversary of the Bill of Rights, to support the fight for freedom of the 18 Minneapolis "sedition" trial defendants, recently convicted on charges of violating the anti-labor Smith "Gag" Act of 1940. The meeting, held in the Hotel Diplomat, was sponsored by the Civil Rights Defense Committee.

Outstanding representatives of civil rights groups and workers parties joined in condemning the Minneapolis convictions as a violation of the free speech and free press provisions of the Bill of Rights and urged the necessity of defending civil liberties in war-time as well as in peace.

Roger Baldwin, National Director of the American Civil Liberties Union, declared that it was essential to fight for the preservation "in practice" of the Bill of Rights during war. "Our liberties exist as a means to an end," he said. "Preserving civil liberties is essential for the kind of peace we all want after the war."

Mr. Baldwin charged that the Smith "Gag" Act was unconstitutional and that the convictions under it were a "clear violation" of civil rights guaranteed by the Bill of Rights. He warned that "to uphold this conviction would be to establish a precedent that can gag the mouths and stop the presses for thousands.

RESISTANCE TO A VIOLATION

During his speech, Mr. Baldwin told of two banquets in celebration of Bill of Rights Day that he had previously attended. They were held in swanky hotels and the dinners cost $6 and $2.50 per plate. "I heard a stream of oratory from individuals whom I have never heard from before in the battle for the Bill of Rights." He stated that the real defenders of the Bill of Rights were those he was now addressing. "I am celebrating with you not the glorification of a document, but resistance to a violation of it."

James P. Cannon, National Secretary of the Socialist Workers Party, chief witness for the defense and a convicted defendant in the Minneapolis trial, roused the meeting with his exposition of the principled manner in which the defendants upheld their beliefs at the trial.

"Our defense was an aggressive defense," Comrade Cannon stated. "It was an accusation, it was a seized-upon opportunity to say in great detail — and with the utmost precision what we have to say about the real issue that brought us to trial. We were able to discharge that duty and on the very eve of the beginning of war confront our accusers, and all those who in the future will study this trial, with a clear and ample and precise record of what we stood for in the court-room and what we stand for after the conviction took place."

REVOLUTION AND THE BILL OF RIGHTS

The speaker said that "free speech has a real dynamic meaning in connection with the question of free speech for a purpose, to expound ideas that aim at social ends. The moves that are being made against the labor movement to throttle the right to strike are in essence far more reactionary, far more vicious than a mere abridgement of free speech in itself, because they constitute an abridgement of the right to do things . . . "

There is every reason for revolutionists to sincerely defend the Bill of Rights, said Cannon. "I said in the courtroom and, I believe, correctly, that we can take it as certain that the victorious revolution that will liberate the American people from poverty, insecurity and war, will write the first amendment — the heart of the Bill of Rights — into its program. In fighting for the Bill of Rights in its essence, in its application, and not as something to be preserved in a museum, we are conducting a progressive, and at this juncture, a highly revolutionary fight."

The speaker concluded by expressing great satisfaction that at the very beginning of the fight "people with diverse views are rallying aroud the banner of this splendid committee — the Civil Rights Defense Committee," and said that this gives "the promise to others, who like us might fall victims, that they will not be friendless in the day of adversity, in the day of persecution."

GOLDMAN EXPLAINS THE CHARGES

Chief defense counsel and defendant Albert Goldman in his talk stressed several important aspects of the Minneapolis case which the defense had emphasized in the trial.

He pointed out that the charge

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Marine Cooks and Stewards Vote to Aid Defendants

SAN FRANCISCO. — The CIO-Marine Cooks and Stewards Association of the Pacific Coast has adopted a resolution protesting the prosecution of the 28 members of Local 544-CIO and the Socialist Workers Party in Minneapolis, and requesting affiliated CIO locals "to give their full moral and financial aid to these 28 defendants."

The union also voted to condemn the use of governmental agencies to oppress and harass any labor or political organization in the pursuit of their activities.

Execution Of Waller Is Stayed Until March 12

RICHMOND, Va. — The execution of Odell Waller, 24-year old Negro sharecropper, for the shooting of his white landlord, Oscar Davis, at Gretna, Va., in 1940 in a dispute over crop shares, was stayed today until March 20, 1942 by Governor James H. Price of Virginia in response to appeals by Workers Defense League attorneys for time for the Supreme Court of Appeals of Virginia to act upon a writ of habeas corpus which raises the poll tax issue.

The petition for a writ of habeas corpus, filed last week in Virginia's highest court, uncovered an 1870 Act of Congress which, according to the Workers Defense League which is handling Waller's defense, may give the Supreme Court of the United States a new basis for holding payment of a poll tax unconstitutional as a qualification for voting. The court cannot act on the petition until it reassembles January 12, 1942, according to reports from Thomas H. Stone of Richmond and John F. Finerty of New York, attorneys for Waller.

NON-PAYERS BARRED

The poll tax issue was raised because Odell Waller was tried by a jury composed exclusively of payers of Virginia's $1.50 cumulative poll tax. The petition for a writ of habeas corpus presented proof that non-payers of poll taxes were systematically barred from voting lists and from grand and petit juries in Pittsylvania County, Virginia, where the trial occurred, and that not a single non-payer was found on any jury list. Of the 30,000 eligible voters in the county, only 6,000, about 20%, paid their poll taxes in 1940.

The petition argued the illegality of the poll tax, revealing a new angle in legal steps against the tax which prevents six million whites and four million Negroes in eight southern states from voting. The 1870 Act of Congress, passed January 26, 1870, when readmitting Virginia to representation in Congress provides that the "Constitution of Virginia shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the constitution herein recognized . . . "

WHAT SENATOR GLASS SAID

The petition charged that the Virginia constitution referred to was changed in 1902 in violation of this Act of Congress, and cites Senator Carter Glass, delegate to a Virginia Constitutional Convention held in 1902, as follows:

"The chief purpose of this convention is to amend the suffrage clause of the existing Constitution. It does not require much prescience to foretell that the alterations which we shall make will not apply to all persons and classes without distinction. We were sent here to make distinctions. We expect to make distinctions. We will make distinctions."

Since that time the payment of the poll tax has been used as a qualification for voting and for the voting lists used in the selection of grand and petit juries.

Vultee Manages To Get Along

Remember the Vultee strike of a few months ago? Remember how the Vultee management wept bitter tears over its inability to increase the meagre earnings of its striking workers?

Net profits for ten months of the current year to Sept. 30 totalled $1,790,145 as against a measly $374,457 gathered in during the entire year of 1940. And that's with all taxes and padded expenses deducted.

How about the future of Vultee? They have unfilled orders amounting to $158,000,000!

New Yorkers Get Taste of War

These New Yorkers are getting a taste of war as they vainly scan the skies for enemy bombers during a false air-raid alarm last week. Printed instructions told the people to 'walk, don't rush to the nearest air-raid shelters.' The nearest shelters, so far as anyone could find out, are in London, England.

War Profiteers Scored For Causing High Prices

Consumers Union-Lawyers Guild Survey Shows Bosses Responsibility for Rising Prices

The advent of all-out war poses the problem of inflationary prices more sharply than ever before.

Unless present rapid upward trends of prices are checked, the workers and farmers face in the coming weeks and months a serious cut in their incomes and living standards.

A report issued last week by the Consumers Union of the United States, Inc., prepared in conjunction with the National Lawyers Guild, gives facts and figures about the impending danger of inflation that should jolt every wage-earner. The report also fixes the responsibility for this abnormal trend.

The report points out that prices of basic raw commodities just prior to the outbreak of the war in the Pacific were more than 50 per cent higher than the August 1939 pre-war level. While the consumers have already felt the initial impact of price increases, the worst is yet to come.

Retail prices are just beginning to reflect the upward trend in wholesale commodity prices. "This increase (in commodity prices) is a red light to the country, giving advance warning of a future sharp rise in the cost of living unless effective action is taken by the government," declares the report.

Contrary to the widely circulated notions that these price rises are the result of labor's demands for higher wages and consumer hoarding, the report flatly charges that profiteers and monopolists are to blame for the inflationary situation.

"Big business and speculators have raised prices, fostered artificial scarcity, and made huge profits from shortages which in most cases could have been avoided if the government had taken action in time. The American people are now paying for the early failure to expand production of critical items like steel and aluminum, and to develop such transportation facilities as freight cars and pipe lines."

The report cites the example of the policy of giving most of the war orders to a few of the giant monopoly corporations which have been gouging the public, while many small plants, which might be producing additional goods and thereby reduce prices by increasing the supply, remain idle.

"The rising tide of profits", states the report, "is the best proof that profiteering and speculation have been permitted to run rampant." It adds:

"The Federal Reserve Board reports that the net profits of large industrial corporations for the first six months of 1941 were 25% higher than in the corresponding period of 1940 (which was an unusually good business year)."

Actual profits are even higher, the report asserts, but the corporations do not declare their total real profits. Among the methods corporations employ to conceal their full profit-taking is the setting aside of "tax reserve" funds which are much greater than their actual taxes.

LABOR COSTS LOWER DESPITE WAGE RISES

Answering the employers' argument that wage increases have been responsible for rises in production costs, the report states that the big corporations by running their plants at capacity have actually been able to effect a tremendous decrease in their unit labor costs. The report adds:

"The big corporations have also gained from increased labor productivity. Workers have been turning out more goods and products per working hour and day. Output per man-hour was 3% higher in May 1941 than in May 1940; it was 8.5% above the 1939 average and 16% above 1938. That is, 86 workers today are producing as much in one hour as 100 workers did three years ago."

Nor is consumer hoarding responsible for higher prices. The bulk of the population is low income-earners who haven't the means to buy up more goods than they can consume from week to week.

The report points out that "in the first place, low-income consumers spend about one-third of their income for food, which is plentiful. Secondly, many other consumer purchases besides food can in no way be considered as diverting materials away from the armaments production. . .The fact is that most critical shortages are due to the deliberate failure of big business to expand vital production. . .Shifting the blame to consumers simply conceals the actual culprits: the monopolists and profiteers."

Effective measures to halt price inflation must include more than present recommendations for price control, declares the report. "Price control is no cure-all for inflation." The report points to the way in which Congress recently cut the heart out of the limited price-control measure sponsored by the administration. While calling for an "immediate, overall ceiling on prices. . . right now," the report states that inflation must be fought by other legislative measures such as more taxes on profits

So far, no serious move is being made by Congress or the administration to place curbs on the war profiteering, main cause for price inflation. The last federal tax bill, which dug deeply into the pockets of the low-income earners, scarcely touched expanding war profits.

Rubber Workers Endorse C.R.D.C.

CHICAGO. — Local 120 of the United Rubber Workers, CIO, last week adopted a resolution protesting the Department of Justice persecution of the leaders of Local 544-CIO and the Socialist Workers Party, and endorsed the work of the Civil Rights Defense Committee, the organization mobilizing public support for the 18 defendants convicted in the Minneapolis case.

Local 120 also sent a financial contribution to the C.R.D.C., and a copy of its protest resolution to Attorney-General Biddle.

New Bail Must Be Raised For Eighteen Defendants

MINNEAPOLIS, Dec. 17.— A new difficulty for the 18 "sedition" trial defendants came last week when the Western Surety Company served notice that it was cancelling the bonds on which the defendants are out on bail.

Pending the appeal to the higher courts, the defendants were released by Federal Judge Matthew M. Joyce on a total of over $50,000 bail, the same amounts for each individual as they were out on during the trial. The Local 544-CIO members among the defendants are on bail of $3,500 each, while the others are on bail of $2,500 each.

The surety company gave no reason for refusing to continue the bonds during the appeal. By staying execution of sentence, Judge Joyce had made it possible for the defendants to remain on the same bond.

The Civil Rights Defense Committee, authorized representative of all the defendants, is now faced with the task of finding persons owning the necessary amount of commercial property to underwrite new bonds.

Unless new bonds are raised shortly, the defendants face the possibility of being arrested and imprisoned until bail is forthcoming.

Similar Body In 1918 Undermined Union Conditions

No-Strike Agreement Demanded of Labor; Anti-Labor Bill Threat Hangs Over Heads Of Union Leaders at Capitol Conference

With the Smith Slave Labor Bill hanging over them threateningly, AFL and CIO leaders were called this week to Washington to commit the trade unions to a War Labor Board similar to that of World War I.

Like its 1918 predecessor, the new board has as its main function the task of depriving organized labor of its right to strike "for the duration".

The AFL and CIO representatives are being called upon to agree "voluntarily" to the essential sections of the Smith Bill, with the broad hint that any balking by the unions will result in the enactment of the bill, which has already been passed in the House of Representatives.

An additional bitter pill was provided for the CIO when William H. Davis was named "moderator" of the employer-labor-government conference. Only a few weeks ago the CIO leaders denounced Davis, chairman of the National Defense Mediation Board, for his anti-labor attitude, and they resigned from the board. Davis' appointment as moderator by President Roosevelt symbolizes the fact that the CIO is being called upon to return to essentially the same kind of board that the CIO repudiated.

The AFL top leadership has already explicitly endorsed formation of the board on the same basis as the War Labor Board of World War I.

What will happen now may be partially indicated by the experiences of the labor movement with the War Labor Board of 1918.

To begin with, the workers suffered a terrific slice in real wages during the last war, primarily because of their inability to employ their most potent bargaining weapon, the strike. While money wages were on the average 30 per cent higher in 1918 than in 1914, the cost of living rose 74.4 per cent at the same time. The effect of the no-strike policy, supplemented by the conspicuously pro-employer decisions of the War Labor Board, was the virtual "freezing" of wages in the face of constantly soaring prices. Thus, during the last war the workers suffered an average cut in real wages of 23 per cent.

At the same time there was no parallel "freezing" of profits. The big monopoly corporations increased their profits many times over. As examples, Standard Oil of N. J. increased its profits from $7,000,000 in 1914 to $45,000,000 in 1918; Du Pont's gross revenue rose from $25,000,000 in 1914 to $300,000,000 in 1918; U. S. Steel netted $137,000,000 profits in 1918 as contrasted with $23,000,000 in 1914.

HOW THE BOARD FUNCTIONED

It was impossible for the War Labor Board to consider all the thousands of appeals made to it by the workers. The Board soon became swamped with complaints. Thousands of workers' grievances were swallowed up in red tape and delay.

The Board finally assigned 50 field examiners — all regular government agents—to travel around the country and investigate complaints. These agents were then given the power to make awards, and the Board itself acted merely as an appeals body.

A 1921 report of the Department of Labor showed that these examiners made decisions in over 10,000 labor disputes during a 12 months period. The Board itself during its entire existence heard only 1,251 cases, and reached a decision in only 39 per cent of these.

Thus, the workers in over 90 percent of the cases had to submit their grievances to the arbitrary decisions of individuals who in no sense could be counted on to be sympathetic to the interests of labor. The workers had less than one chance out of ten of having the Board itself hear and make a decision on any appeal.

PLENTY OF LOCKOUTS

The record of the 1918 War Labor Board decisions conclusively demonstrated its pro-employer character. Although one of the rules adopted by the Board was that "there shall be no strikes or lockouts," it was only the first part of this ruling that was ever enforced. There were many lockouts during the last war, but there is no record of the Board having disciplined any employer for a lockout.

If workers, however, went on strike before the Board had ruled on their grievance, their case was "outlawed." If they struck after a decision, they were fired and

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The Economic Stakes Of The War In The Far East

Tremendous Resources of Tin, Oil, Rubber Are Among Prizes Fought Over In the War

By DON DORE

The stakes of war in the Far East are tangible things that may be weighed and measured, bought and sold.

They are the solid prizes of raw materials, natural resources, cheap labor power, markets and favorable trade routes, for which capitalist nations have been waging war almost incessantly since the earliest days of capitalism.

Running like a bright red thread through the war dispatches, government communiques, press comments, and statements of government officials issued at the outbreak of the war this week, are words like "tin," "oil," "tungsten," "rubber," "manganese," "copper."

Whatever the changes in governmental regimes, national ideologies and abstract slogans of the various contending blocks of powers during the course of the past years and decades, a single constant of their rival ambitions has remained: control over the material resources of humankind.

For the United States, the Dutch East Indies, the British Malaya States and French-Indo China are indispensable sources of rubber, tin, tungsten and quinine.

For Japan, these territories contain, in addition to these essentials to its production, that oil and food for whose lack, above all, Japanese has embarked on its desperate military venture.

FABULOUS RICHES FOR IMPERIALISTS

The Dutch East Indies in themselves present the lure of fabulous riches for imperialist exploitation. Sixty-five million native slaves toil to wring from the soil of these islands — three times as large as France in total area — a tremendous wealth for the ruling class of Holland, a nation of eight millions.

These islands, together with British Malaya, produce virtually the entire world supply of natural rubber. Control of this rubber supply constitutes a powerful economic club and bargaining stick over all other industrial nations. For the United States, England and Japan alike, the rubber of the Dutch East Indies and Malaya is so vital an economic resource as to constitute in itself a cause for war.

The Dutch East Indies produce 95 per cent of the world's quinine, 50 per cent of its tobacco, 50 per cent of its coconut oil, 60 per cent of its sisal.

Add to these products, the rice, tea, coffee, iron, silver, gold, teakwood, ebony, sandalwood that the islands produce in huge quantities — one can then understand why every imperialist power in the world is so concerned about these islands.

For a four billion florins investment, the Dutch imperialists have squeezed out a yearly profit of half a billion florins—12½ per cent on their investment. That is a yearly tribute of $150,000,000, a tempting prize for profit-hungry imperialists.

OIL OF THE INDIES

And then there is oil, oil which Japan once bought from the United States and South America, fuel and lubricants without which her factories and machinery and transport would stand idle and rusted, oil which Britain and the United States, who control the major portion of the world supply, have cut off from Japan.

Ten per cent of the total world oil supply is produced in the Dutch East Indies, the most accessible and richest source of supply for Japan.

The American and British embargo on oil to Japan has been a staggering blow. For this reason, the Dutch East Indies have become a major objective of Japan's imperialist drive.

The largest single source of tin and rubber in the world are the British Malaya States. From this colony, the United States obtains the major portion of these indispensable raw materials. British Malaya, acre for acre, is the richest British colony on the globe. It produces half the world's rubber, a third of its tin. The Japanese have had to import a million tons of iron ore annually from this territory. Cut off from its only other source of tin, Bolivia, because the United States has contracted to buy Bolivia's entire supply, Japan seeks tin from the rich deposits in the Malayan Peninsula and Dutch East Indies.

If these Far Eastern colonies contain indispensable raw materials and minerals over which every contending imperialist power wants control, they are also potentially among the greatest markets for the manufactured products which the depressed domestic markets of every capitalist nation are unable to absorb.

Over 100,000,000 potential customers are concentrated in the area of the Dutch East Indies and the Malayan Peninsula. They are a huge market for British, Japanese and American textiles and other consumer products.

This is particularly true of China, with its 450,000,000 people, just beginning to break out of their backward economy toward modern industrialism. For the industrialists and bankers of the major imperialist nations, China is a potential market and field for financial investment which staggers the imagination. And here, moreover, is untold mineral wealth, never yet tapped, such as tungsten, coal, iron.

China is more than a market to Japan. It has become increasingly the food basket of the Pacific island-empire. From China, Japan hopes to get the bulk of the rice and soy beans with which to feed its teeming millions. China — and the rich Dutch East Indies — are a source of cheap food supply with which the Japanese industrialists can maintain their low-paid workers at home.

CAPITAL INVESTMENT

The most pressing factor in the drive of modern monopoly imperialism is the need for new fields for capital investment. Huge capital surpluses have been accumulated by the large corporate and financial groups. These surpluses no longer may be used at home in profitable investment. The vast colonial countries of the Far East, on the threshold of industrial expansion, are potentially the greatest field for capital investment.

The newspapers may talk about principles, national honor, freedom of colonial peoples. But oil, tin, rubber, tungsten, rice, markets, slave labor—in a word, profits—these are the material stakes in this conflict whose flames now lick at the remotest corners of the earth.

Thumbnail Biographies Of 18 Convicted

James P. Cannon:

Born in Rosedale, Kansas, 1890. Thirty years of active service in the working class political movement. Indicted for "conspiracy" in 1913 in Peoria, Illinois for organizing the farm equipment workers of the Avery Manufacturing Company. Indicted by the federal government in 1919 in Kansas, under the wartime anti-strike laws for participating in the strike of the coal miners. Those two times he was in jail before bail was raised, but never was tried on the indictments. Nationally known for his leadership in historic strikes and labor trials (Sacco - Vanzetti, etc.). One of labor's greatest orators. National Secretary of the Socialist Workers Party.

Farrell Dobbs:

Born 1907, Queen City, Missouri. A planning engineer for Western Electric, he quit a promising technical career when he saw how workers were fired wholesale during the depression. He then sought to enter a university to study the nature of a society which made crises possible. Unable to go through with this plan, he became a laborer in Minneapolis coal yards, joined 544, was an organizer and strike leader. As International Organizer of the International Brotherhood of Teamsters, he was the central figure in the brilliant organization of the over-the-road truck drivers in 11 states in the Mid-West, one of the outstanding labor victories of this period. National Labor Secretary of the Socialist Workers Party. Married, three children.

Albert Goldman:

Brilliant labor lawyer who has defended hundreds of workers and unemployed. Graduate of Chicago public schools and University of Cincinnati. Joined I. W. W. in 1919 at age of 22. Pocket-maker in clothing factories and member of Amalgamated Clothing Workers. Studied law at Northwestern University. Since 1927, specialist in labor defense. Attacked by vigilante mob in Danville, Ill., for defending unemployed in 1932. Defended Norman Mini in famous Sacramento criminal syndicalism trial in 1934-35. Outstanding writer on socialism and the working class political movement.

V. R. Dunne:

One of the foremost union leaders in the Northwest. He was born in Kansas City in 1889 and entered the labor movement in 1906, in the Western Federation of Miners, I. W. W. He has been a farm laborer, lumberjack, and truck driver. He was a guiding spirit in the famous 1934 strikes of Local 544. Minneapolis workers in all industries credit Vincent Dunne as a great leader who helped change Minneapolis from an open-shop city to a stronghold of union labor. He is married, has two children.

Felix Morrow:

Born in New York, 1906. Graduate of New York University. Newspaperman, author, historian. Prominent in the working class political movement since 1928. Indicted for "inciting to riot" in 1932, but never tried, in South River, N. J., needle trades strike. As secretary of the Non-Partisan Labor Defense, 1934-36, he defended numerous labor prisoners. Associate editor, Northwest Organizer, in Minneapolis, 1937-1938. National Committeeman, Socialist Workers Party. Editor of The Militant. Married, 1 child.

Carl Skoglund:

President and trustee of Local 544 for several years. Born in 1884. A leader in the 1922 railroad strikes, as chairman of the Burlington R. R. Shopmen's Strike Committee. Lost his railroad job because of strike activity. Became truck driver in Minneapolis and helped build 544. He has been fighting in the cause of labor for 35 years.

Ed Palmquist:

Born in Minnesota, 1897. Fifteen years a machinist and shop foreman. Became convinced of the workers' need for strong rank and file unions. Known throughout Minneapolis for his work in behalf of the unemployed, as Chairman of Local 544's Federal Workers Section. Convicted in 1939 trial of Minneapolis WPA strikes and served eight months sentence at Federal Penitentiary.

Grace Holmes Carlson:

Born in St. Paul, 1906. Graduate, St. Catherine College. Doctor of Philosophy, University of Minnesota. Taught psychology at the U. of M. and served in the State Department of Education. Charter member, Minnesota State Employees, Local 10. Received over 8,000 votes as candidate for U. S. Senate in Minnesota in 1940. State organizer of Socialist Workers Party. Married.

Jake Cooper:

Born St. Paul, 1916. Truck driver, member of 544-CIO. Long record of strike service. Beaten up by goons in Tobin's war on 544-CIO.

Oscar Coover:

Born Republic, Missouri, 1887. Railroad electrician. Thirty-five years a member of International Brotherhood of Electrical Workers. In the historic 1922 railroad shopmen's strikes, he was secretary of the Pullman and Great Western R.R. Employees' Strike Committee in Minneapolis. Widely known in the Minnesota working class movement. Organizer of the Socialist Workers Party for Minneapolis. Married, three children.

Harry DeBoer:

Born 1905, Crookston, Minnesota. Truck driver and 544 organizer. Chairman of negotiating committee in 52-day strike of over-the-road drivers in five states, 1938. Shot by police in 1934 Minneapolis strike. Five months in hospital. Married.

Max Geldman:

Born in Poland, 1905. Leader in work for Minneapolis unemployed. Served eight months sentence in Federal penitentiary for his activity in 1939 WPA strike. Former teacher and factory worker. Married, one child.

Clarence Hamel:

Born in Hamel, Minnesota, 1909. A stalwart of the 544 ranks since 1934. Truck driver, union steward, 544 organizer. Figured in the great strikes of 1934 that ended the open-shop regime in Minneapolis and made it a union town. Married.

Emil Hansen:

Born in Denmark, 1906. Plasterer, bus driver, truckman. Joined driver's union in 1928. Remained faithful member during the years when Minneapolis unions were weak. With the rise of 544 from 1934 to 1941, he has been one of the most active fighters in the struggle. Union organizer and trustee. Married, 2 children.

Carlos Hudson:

Born in Minneapolis, 1908. Graduate of the University of Minnesota. Paid his way through college working summers as a freight laborer. Editor of the Northwest Organizer and the Industrial Organizer, 544 official newspaper, and well-known contributor to the national labor press. Married, 2 children.

Karl Kuehn:

Born St. Paul, 1894. Mechanical engineer and mechanic. Leader and organizer of Minneapolis unemployed. Officer of Local 544's Federal Workers Section. Delegate to national unemployment and relief conferences. Indicted but not tried in 1939 WPA strikes. Married, 7 children.

Alfred Russell:

Born Brooklyn, N. Y., 1911. Helped organize Local 544, IBT Omaha, Nebr., drivers' union, and became Recording Secretary. Served six months' sentence for strike activity in Minneapolis, 1939. Upholstery worker, truck driver, factory worker.

Oscar Shoenfeld:

Born New York, 1916. Machine shop worker. Active in work of Minneapolis unemployed movement. Convicted in trial of WPA workers, 1939. Married, one child.

Bill Of Rights Defenders Hold N.Y. Rally To Free 18

(Continued from page 1)

of "conspiracy" against the dedendants did not even involve advocating acts but agreeing to advocate — one step removed from advocating. The government prosecution, he further declared, sought to deny the right of the defendants, as revolutionists, to do certain things which all other sections of the population have the right to do. Among many such things, he said, was the right to be active in a union.

Goldman corrected one false impression held by many people believing in civil liberties that the defendants "not only have a right to advocate the overthrow of the government by force and violence, but that we actually do advocate that doctrine. I spent at least three hours trying to teach the jury that we do not advocate the overthrow of the government by force and violence.

"The mere fact, I contended, and still contend, that in our Declaration of Principles and in many other documents and articles, we state flatly that we are for winning over a majority of the people to our ideas, negates the charge that we are advocating the violent overthrow of the government. No one but insane people would want a majority on their side and then, in spite of having a majority, wish to overthrow the government by force and violence."

STATEMENT OF JAMES T. FARRELL

A message was read to the meeting from James T. Farrell, noted author and National Chairman of the CRDC, who was prevented by illness from attending the meeting in person.

Referring to the "clear and present danger" theory enunciated by Supreme Court Justices Holmes and Brandeis, Mr. Farrell said: "It is clear that they had in mind a period such as the present one when they enunciated their theory . . . In the Minneapolis case, this theory was abandoned; for it the prosecution substituted one of indirect causation. Such a theory is a parallel to the Japanese notion of 'dangerous thoughts'. Once this is established as the law of the land, all thinking will become dangerous. In place of thinking we will only be allowed to quote; and even quotations will be dangerous. The convictions obtained in Minneapolis are, to my mind, a clear and present danger to the Bill of Rights."

SOLIDARITY OF DEFENDANTS

Representing the ten Minneapolis defendants who were acquitted, Dorothy Schultz, St. Paul SWP organizer, declared that "we who were acquitted stand shoulder to shoulder in complete solidarity with those who were convicted."

She expressed the appreciation of the defendants for the aid the Civil Rights Defense Committee, which is "interested not only in the prosecution but the prosecuted." Most of the defendants, she said, were workers who were deprived of their jobs and unemployment insurance because of the prosecution, and the CRDC, by providing the funds to maintain them and their families, enabled them to conduct their defense with the highest morale.

CIVIL LIBERTIES IN THE LAST WAR

Dr. Carl Raushenbush, Chairman of the Workers Defense League, devoted his talk to an exposition of the manner in which civil liberties were violated during the last war and in the post-war period. He told of the extreme lengths to which the courts went in convicting people for expressions of opinion which in no way represented an immediate danger to the government. He pointed out, further, that the United States Supreme Court later upheld many of these convictions.

Max Shachtman, National Secretary of the Workers Party, expressed the solidarity of his organization with the Minneapolis defendants and denounced those who regard the Bill of Rights as a "showpiece" and a "venerable antique" to be displayed once a year with a sign, "Do Not Handle." He said that "today it is Cannon, Goldman, Dunne and their fifteen comrades" whose civil rights are being violated; "tomorrow it will be the entire working class."

The chairman of the meeting was George Novack, National Secretary of the Civil Rights Defense Committee, who opened the meeting with a brief exposition of the history of the Bill of Rights and the attempts of the reactionaries to abrogate it, from the time of the Alien and Sedition Acts of 1798 up to the present Smith "Gag" Act conviction.

During the meeting, the chairman made an appeal for funds to help finance the appeal to the highest courts. The audience responded magnificently, contributing a total collection, in cash and pledges, of $344.

AUTO WORKERS TAKING STEPS TO AID DRAFTEES, JOBLESS

FLINT, Mich., Dec. 15 — Chevrolet Local 659 of the United Auto Workers, CIO, this week adopted a significant resolution in defense of the interests of workers drafted into the armed forces or laid off as a result of "priorities unemployment."

After pointing out that thousands have already been laid off, and further reductions are close at hand, with no provision for rehiring in the immediate future, the union's resolution says:

"Whereas commodities such as homes, cars, refrigerators, radios, etc., bought on the installment plan by men entering the armed forces will be replevined because of inability to keep up payments, and

"Whereas the International UAW has declared itself in favor of a moratorium on all debts of laid off workers and men drafted in the army,

FAVOR MORATORIUM

"Therefore be it resolved that Local 659-Chevrolet go on record in favor of a moratorium on all debts for the period of service in the army and for the entire length of layoffs resulting from the changeover from civilian to defense production, and

"Be it further resolved that any interest which may accrue during the layoffs or during length of service in the army be wiped off the books forever, and

"Be it further resolved that the Chevrolet local pay special attention to its members who enter the armed forces."

Copies of the resolution were ordered sent to the State Legislature in Lansing, the other Flint UAW locals and the International Union.

Less than 24 hours after the unanimous adoption of this resolution, it was passed by the Political Action Committee meeting, sent off to Lansing 60 miles away and passed by the State Sub-Council of auto workers. Copies are already on their way to all locals in this area.

For Every Class-Conscious Worker:

IN DEFENSE OF THE SOVIET UNION

(A Compilation — 1927-1937)

By **LEON TROTSKY**

40 page pamphlet 10c

WHY WE DEFEND THE SOVIET UNION

By **ALBERT GOLDMAN**

32 page pamphlet 5c

PIONEER PUBLISHERS

116 University Place, New York City

Also obtainable through all branch literature agents of the Socialist Workers Party

War Labor Board Meant To Curb Labor Struggles

(Continued from page 1)

blacklisted from all war industries.

In industries where the closed shop had not been previously in effect, the open shop was maintained by law. This enabled the open shop interests to deny large sections of the workers genuine collective bargaining rights and union security.

Despite the fact that the Board's "Declaration of Principles" recognized that "Labor has the right to organize and bargain collectively," the Board failed to enforce this principle, even in the instances where it ruled favorably on a collective bargaining appeal of the workers.

A TYPICAL EXAMPLE

A typical example of this is the case of workers of the Madison-Kipp Lubricator Company. These workers labored 12 hours daily on piece work; but no matter how fast they worked they were never paid more than 28 cents an hour. They organized and demanded collective bargaining rights, which the boss flatly refused. They then filed an appeal with the Board.

After several months an examiner showed up. The conditions were so bad that he had to find in favor of the workers. The boss ignored the examiner's decision. The workers again appealed to the Board. After several more months, the Board ruled that the workers must be given collective bargaining rights. The boss ignored this decision. Before the Board could consider the workers' third appeal, the war ended and the Board was dissolved.

Among the policies adopted by the Board was the enforcement of wage differentials between various sections of the country and even between various localities in the same sections. It refused to establish minimum wages, stating, after stalling for months on the matter, that it would "consider and decide each case involving the principle (of a living wage) on its particular facts . . ." In practice, this "living wage" turned out to be just about the same wages the workers were receiving before they filed an appeal.

In one case, the Board was compelled to instruct Bethlehem Steel to raise wages. Bethlehem was able to stall around on compliance with this instruction until after the war was over, when it discharged all the workers involved. The Board then ruled that Bethlehem owed its workers back pay. Bethlehem stalled some more, even claiming that it didn't have the addresses of the workers. The case was never settled. The Board voted itself out of existence too soon.

One striking example of how the Board operated in favor of the employers, was this: a law was enacted that a decision of the Board was enforceable by law only when both parties to a controversy joined in filing an appeal. If only one party filed an appeal, the Board's decision was merely a "recommendation."

86 per cent of the complaints, of course, came from workers. If the decision favored the workers, it was only a "recommendation" and the bosses could, and did, disregard it. If, however, the decision favored the employer, it was a simple matter for him to be tipped off to participate in the appeal by filing an amendment to the complaint, thus making the decision binding on the workers.

HELPLESS TO ENFORCE DECISIONS

In any event, deprived of the right to strike, the workers were helpless to enforce any decision on the bosses, "binding" or "recommendatory." And the whole power of the government was hurled at those workers who refused to accept even "recommendations" of the Board.

In most instances, the timid labor representatives went along with the bosses on the Board. In only 82 cases was there disagreement. These cases then went to an umpire unanimously selected by the Board or to an arbitrator selected from a panel of ten nominated by the President. These arbitrators were usually outright boss representatives who found for the employers. The arbitrators' decisions were final.

The aftermath of the war proved that the War Labor Board policies were not simply war-time policies. Basing themselves on the precedents established during the war, the employers, including the five employer representatives on the Board, in 1919 launched a vicious drive to make no-strike policies effective in peace-time.

AFTER THE WAR

For more than a decade after the war, the organized labor movement suffered the damaging consequences of the war labor policy. The unions were weakened; their militancy was broken down. The employers had gained an advantage over labor during the war which they continued to exploit for years afterward.

Now organized labor is being told to repeat the experiences of the last war. It is being asked to surrender its right to strike and place its interests at the mercy of a war labor board similar to the one established by President Wilson.

Perhaps a war labor board today would not be so flagrant in supporting the employers' interests and perhaps it might not adopt all the obviously anti-labor provisions adopted in 1918. For organized labor is far more powerful and militant now than during the last war. But the essence of the operations and purpose of a new board would be no different than that of the last one. It might proceed more cautiously; but in the end it would be just as effective in undermining the rights and conditions of labor.

The termination of the trial and the beginning of preparation for an appeal have meant to most of our comrades a renewed determination to increase the circulation of the party publications.

Philadelphia digs in with the real spirit. The comrades there write: "Our branch considered the following proposals involving the MILITANT: 1) We undertake a month's campaign to circulate the paper at CIO local membership meetings; 2) to each MILITANT we would attach a leaflet containing an introduction, the 50c. offer, and a statement that we will send them three trial copies if they send us their names and addresses; 3) we would distribute two consecutive issues at each place." And knowing the Philadelphians, we know something good will come of the resolution.

One of our devoted supporters writes: "I obtained this subscription from a union locomotive engineer because I handed him a marked copy of the October 11th MILITANT. The articles I marked were two on page six entitled: 'American Legion Speaks for Army General Staff' and 'Are Capitalist Bosses Necessary?' The last article mentioned made a great hit with him and he willingly took a trial subscription.

"After reading THE MILITANT I generally mark and make brief notations on articles which will attract the workers and cause them to read the articles marked; by this method they get an introduction to the contents of our paper."

That's real devotion to the business of getting new readers for our press.

Duluth-Superior sends in a subscription obtained from a resident of Minneapolis and says: "When Duluth-Superior Local can 'singe the beard' of Minneapolis, that's news!"

Flint must come in this week for extraordinary praise. To date, it has sent in (since November 7) 19 six-month and 16 Special 50c. subscriptions. Flint takes the matter of getting subscriptions seriously and is doing valuable work in this direction. More power to them!

Albert Goldman's Final Argument to the Jury

From The Court Record: His Explanation Of The Issues In The Trial

MORNING SESSION
Thursday, November 27, 1941

THE COURT: You may proceed, Mr. Goldman.

MR. GOLDMAN: May it please your Honor, ladies and gentlemen of the jury.

I think that the prediction made in my opening statement, that this would be a case remarkable in many respects, has been confirmed.

In this courtroom there were presented before a jury ideas — social, political and economic — that have never, to my knowledge, been presented in any Federal Court prior to this case.

Never before, in the history of a Federal Court, has a jury been confronted with the necessity of listening to the social, political and economic ideas and ideals of defendants, formulated in hundreds of articles and pamphlets, for the purpose of determining whether or not the defendants are guilty as charged in an indictment.

To a certain extent the jury in this case is confronted with the most arduous task of deciding whether ideas propounded by men living in the past and accepted by the defendants are correct or not. I say to a certain extent because obviously neither the government nor the defense formally demands that you decide whether these ideas are correct or not, but you cannot possibly escape from this necessity, and it is this factor which makes the case unique.

A TRIAL OF HERETICS

Often, as I sat through this trial, listening to Mr. Anderson reading excerpts, and especially yesterday as I heard Mr. Anderson deliver his argument, my thoughts drifted far afield. What are we on trial for? I asked myself. Some men wrote books many years ago, and we are on trial because those men had ideas and wrote about those ideas. We are on trial because a man by the name of Marx spent most of his lifetime in the library of the British Museum, digging into statistics, statistics concerned with economics and with politics. We are on trial because this man, after reading the mass of statistics, wrote several books in which, taking those statistics as the basis, and analyzing them, formulated general laws — laws that he thought, and laws that we think, operate in the social system.

We are on trial because a man by the name of Engels and a man by the name of Lenin and a man by the name of Trotsky wrote books, books that have been published and read by tens of thousands, if not hundreds of thousands of people in this country, and certainly throughout the world.

As I thought about this matter, my mind wandered back into the Middle Ages, and I saw before me inquisitors, prosecutors — their names not Mr. Anderson, I suppose, but Mr. Anderson could very well have been there — with a heretic standing before them, and these inquisitors were stern and merciless. Lifting up a finger of accusation, the prosecutor said, "He does not believe our doctrine. He does not believe what we have taught for many generations. I accuse him of heresy." And the examination of the heretic began, and perhaps he recanted, as was the case with the great scientist Galileo, for many feared the punishment of slow torture and painful death.

I do not say, ladies and gentlemen of the jury, that this case is exactly like the cases brought before the inquisition in the Middle Ages. After all, we face only 16 years of imprisonment, while the heretic in the Middle Ages faced torture and death; but essentially the situations are the same. The defendants here are charged with being guilty of heresy. They are guilty because they do not accept the ideas that prevail in society at the present time — Mr. Anderson's ideas. They are guilty because they advocate new ideas which — to use Mr. Anderson's phrase — are capable even of corrupting a saint, should a saint happen to read the literature published by the defendants.

My mind went even farther back, into the days of Greece, when an ugly little man, full of wisdom in his head and of gentleness in his heart — Socrates — was accused of corrupting the youth by his ideas and was compelled to take a cup of hemlock.

A WARNING ON THE DANGERS OF PREJUDICE

I think that in essence this trial follows the tradition of the trials of heretics throughout the ages, the trials of people who advocate new ideas, and it is because of this factor, ladies and gentlemen, that I ask you to be doubly and triply careful. When the Court examined you prior to accepting you as jurors, you stated, and I believe with absolute sincerity, that you could and would give us an impartial trial. I have perfect faith that your intentions were and are of the best, ladies and gentlemen, but prejudice is not something that can be put on and taken off at will.

We are here dealing with ideas that are capable of arousing tremendous passion, as you witnessed yesterday when Mr. Anderson spoke; capable also of arousing tremendous zeal in their favor, ideas that actually did arouse millions of men to rise against what they deemed to be injustice; ideas which millions of men thought to be capable of liberating mankind from the ills that confront it. Yes, these ideas can arouse not only zeal and fanaticism, but also tremendous hatred, and they do arouse hatred, because to some people, such as Mr. Anderson, they appear to threaten the very foundations of everything that they hold sacred. I remember that Mr. Anderson, in his opening statement, said that the defendants were conspiring to destroy "organized society". Obviously, what Mr. Anderson designates as organized society, the defendants deem to be completely unorganized, completely chaotic, capable only of destruction and death.

In the indictment the defendants are charged with conspiring to accumulate and, in fact, the indictment charges that the defendants did accumulate, weapons and explosives. No evidence whatever of course, was brought to prove that charge in the indictment, unless one considers that the ideas which the defendants have are dynamite. Tyrants of all ages feared the explosive nature of ideas, because ideas are capable of shattering the crust that surrounds the mind of man and of presenting the possibility of a new road, a new life, a new social existence. Ideas, therefore, constitute an explosive far more powerful than TNT, and it is the only explosive that we deal with, the only explosive that the Government is capable of proving that we have accumulated.

And I say, ladies and gentlemen, that a human being, no matter how conscientious he may be, no matter how hard he may try to be impartial, must guard himself against prejudices, because prejudices most frequently lie deep in the subconscious mind of a person, and their existence is unknown, even to the person himself.

All of us are obviously born without any prejudices whatever. Have you ever seen a child of one or two or three years of age who knew anything about racial or religious hatreds? I have never seen one, and I know you have never seen one. But as the child becomes an adult, as he absorbs the poisons that exist in modern society, he becomes prejudiced. Every important judgment that a human being makes is determined by the ideas and by the prejudices that he has acquired in his early youth — in school, in church, at home.

The human being cannot get away from his environment. He is chained to it by chains that are not breakable, and most frequently he is chained to the prejudices created by the environment. In a case like this, it is therefore essential to ask yourselves at every step, "Am I permitting my judgment to be colored by my dislike of the ideas of the defendants?" There perhaps is no human being on earth who can get rid of his prejudices completely, but once he is conscious of the fact that he has prejudices, then he can be on guard against them, and being on guard against them, he is more likely, when confronted by new and strange and therefore hateful ideas, to arrive at a fair decision.

I MUST DISCUSS OUR IDEAS

It is, of course, impossible for me to give an exhaustive explanation of all the ideas involved in this trial. Thousands of books have been written about them. Perhaps I should have brought some 500 of them into Court and asked the judge to permit me to read and discuss all of these books; and at the end of a year or two, the jurors could feel themselves more able to decide whether the ideas involved in the case are correct or not. And then, if the jurors did not think that they are correct, they could send the defendants to jail. Of course it is impossible to take that much time. But try as I might, I cannot avoid at least discussing some of our ideas.

I am not here to try to convince you of the correctness of our ideas. I am not here to try to show you that those ideas are the only ideas that will solve the problems of mankind. I believe so. My friends, the other defendants, believe so. I am here, however, primarily to explain those ideas sufficiently well so that the issue in this case will become clear to you.

We are charged with conspiracy to overthrow the government by force and violence. We are also charged with conspiracy to advocate the overthrow of the government by force and violence. In order to show you that there is no basis whatever for these two charges, I cannot avoid discussing certain fundamental concepts of ours, concepts brought in by the evidence for the prosecution.

I know that some of you, many of you, have businesses to attend to, and every day is an additional burden. I feel, however, that I have a certain moral right to speak at length because I did not take such a long time to present the case for the defendants; but still I know that it is very difficult for men and women, away from home for four and a half weeks, deprived of their liberty to a certain extent, to sit and listen to an exposition of ideas.

Mind you, there are 23 defendants in this case. In an ordinary criminal case, an hour's final argument for the defendant, threatened with deprivation of his liberty for many years, would certainly not be too much. Don't be scared, ladies and gentlemen, I am not multiplying one hour by 23 defendants. I do not intend to take so much time.

Over 150 exhibits, possibly, have been introduced by the prosecution. I have a right, and perhaps I have the duty, to take every exhibit and comment on it. I shall not do so, not only because it would take too long a time, but because, as I shall explain later, the exhibits will not be of any great aid to the jury in determining its verdict.

Above all, it is the importance of the case that justifies lengthy argument. Everyone knows that it is an important case. No matter what your verdict will be, it will go down in history. This will go down in history as one of the greatest trials, not only in the Federal Court of this country, but in the courts of any country.

THE ISSUES IN THIS CASE ARE CRYSTAL CLEAR

I think that by this time the issues of the case are clear. In the first count of the indictment, the charge is that the defendants conspired to overthrow the government by force, and to oppose its authority by force. I do not remember any evidence that was introduced on that second clause. So that, as to the first count, the jury should concentrate its attention on the question of whether or not we conspired to overthrow the government by force.

The second count has five sections to it. There is a section charging us with conspiring to create insubordination in the armed forces. There is a section charging us with conspiring to distribute written and printed matter that urges insubordination. There is a section charging us with conspiracy to advocate, advise and teach the duty, necessity, desirability and propriety of overthrowing and destroying the government of the United States by force and violence. There is a fourth section charging us with conspiracy to publish and distribute literature advocating the overthrow of the government of the United States by force and violence. And there is a fifth section charging us with conspiracy to organize societies and groups to advocate the overthrow of the government of the United States by force and violence.

But I think all of us will agree, including counsel for the prosecution, that we can confine our attention to three major charges: in the first count, the charge of conspiring to overthrow, and in the second count the charges of conspiring to advocate the overthrow and to create insubordination in the armed forces.

Immediately upon reading the indictment, the question arises: What is the difference between conspiring to overthrow the government by force and violence and conspiring to advocate the overthrow of the government by force and violence; or what is the difference between those two, and conspiracy to create insubordination?

Let me try, in a few words, to give you my idea of the difference.

It is possible to conspire to advocate to overthrow the government by force and violence without conspiring to overthrow the government by force and violence.

Let me give you an example: One of the persons conspiring to advocate the overthrow of the government may say: "When shall we accomplish our conspiracy?" And someone may answer him, "That is something for the future. In the first place we must advocate, and when we get ready, we'll actually start thinking about overthrowing. That may be in five or ten or fifteen years. For the present we have the task only of advocating." It is, of course, possible to conspire to do both — to advocate and to overthrow — but you can see that it is possible to separate the two.

Conspiring to create insubordination in the armed forces is obviously different from the other two conspiracies. We can assume certain persons disliking the general staff of the army and wanting to create insubordination in order to get rid of that general staff. These persons might not at all be interested in overthrowing the government by force and violence.

I think, then, that the difference between the first count and the second count is clear.

IS OUR PARTY A CONSPIRACY?

At all stages in your deliberations you must ask yourselves the following questions: What charges have the government made against the defendants? What evidence has the government promised in the opening statement of Mr. Anderson to prove those charges? What evidence has it actually produced?

In the first place, it is necessary for you to consider whether or not the defendants are actually guilty of any conspiracy. As Mr. Anderson told you yesterday, if you find that there was no conspiracy, then there is nothing further for you to do. You vote "not guilty", and you are through.

As the prosecution produced its witnesses and introduced its exhibits, two theories appeared to be in the minds of the prosecutors: one, that the Socialist Workers Party is in itself a conspiracy; and two, that the conspiracy was something outside of the party, and the party was only a means for the accomplishment of the conspiracy. According to Mr. Anderson's opening statement, the very purpose of the party, the very plan of the party, the very program of the party and the very activities of the party constituted a violation of the statutes. It would seem, therefore, that the Socialist Workers Party is in itself a conspiracy. That seems to me to be a monstrous proposition. I presume that there are Democrats now in power who think that the Republican party is a conspiracy to take power away from the Democrats. To say that the Socialist Workers Party is in and of itself a conspiracy would mean the beginning of the process of destroying every opposition to those who are in office.

On the other hand, there is the possibility that the government has the theory that the defendants conspired independently of the Socialist Workers Party, that they came to some understanding, in some way or other, independently of the party, to create a party for the purpose of advocating to overthrow, or of overthrowing by force and violence, the Government of the United States. Is there any credible evidence of such a conspiracy?

It will be necessary for you to choose which theory of the prosecution to proceed on.

A CONSPIRATORIAL ATMOSPHERE

Now obviously the term "conspiracy" is altogether inapplicable to this case. I am now thinking of the term, not in the technical, legal sense, but in its generally accepted meaning. A conspiracy is considered to be something secretive, hatched in the darkness of night, with the conspirators fearful lest it should become public. Mr. Anderson tried hard to create that conspiratorial atmosphere in this case. He introduced a floor plan of the party's headquarters. How could it possibly help you to arrive at a conclusion as to whether or not we conspired to overthrow the government by force and violence? But in the mind of Mr. Anderson a conspiracy demands a floor plan, maybe some secret chambers, perhaps some secret buttons. How could it be a conspiracy without a floor plan, without a Sherlock Holmes coming in to study the floor plan?

The prosecution produced evidence that the meetings of the party were held on Thursday nights, and that a membership card was demanded for admission. I presume some of you may belong to organizations that meet on Thursday nights and where only members are allowed to attend. There

(Continued on page 4)

Albert Goldman, Labor Defender

He Made History In The Trial Of The Twenty-Eight

By FELIX MORROW

Let me try to convey in a few words the conditions under which Albert Goldman delivered this final argument to the jury.

He had been preceded by a day-long speech by U. S. District Attorney Victor Anderson, and that was undoubtedly the blackest day of the trial for the defendants. When Anderson got through, I believe that not one of the defendants had any hope left of anything but a blanket verdict of guilty on both counts of the indictment and maximum sentences.

Anderson's was an utterly brutal speech, devoid of any hint of concession to the rights of labor; a speech aimed at evoking the most reactionary sentiments; not appealing to the jury but authoritatively demanding of it that it bring in a verdict of guilty for the sake of God and country. Either it shared his sentiments or bowed to his authority; in any event the jury was visibly affected by Anderson's demand. What words could remove that jury from under Anderson's shadow, we wondered?

What made Albert Goldman's task appear so insuperable was that the impact of Anderson's final argument upon the jury was but one of the many odds against us.

The procedure for choosing the jury, laid down by the Federal District Court, militated against us. The jury venire was selected, not from the general population, but by the court clerk and the jury commissioner upon recommendations from friends and acquaintances of theirs in the district. The venire was chosen almost entirely from the rural sections of the district. And these prospective jurors could not be questioned by defense counsel. All questions were asked by the judge. In a word, the procedure made inevitable a jury predominantly of small-town businessmen, and that's what we got.

Unions were necessarily strange and alien to them. Even more so proletarian revolutionists. The habits and prejudices of a lifetime stood like a Chinese wall between them and us. Could we possibly make them understand, if only dimly, what we are really like, what we really stand for?

With all due respect for his judicial uprightness, and his manifest efforts to give us our formal rights in court, Judge Matthew M. Joyce scarcely made easier our task of acquainting the jury with our real ideas. The prosecution insisted on introducing as evidence against us Wintringham's 'New Ways of War', replete with pictures and diagrams of how to make bombs, grenades and other weapons; actually the book is written for Britain's Home Guards as a defense against Nazi invasion; but we had written a book review of it — and the judge admitted it in evidence. We had visions of the jurors deliberating their verdict and poring over those diagrams! Judge Joyce also admitted into evidence Marx and Engels' "Communist Manifesto" of 1848; what its words, written about the Europe of 93 years ago, could conjure up in the jurors' minds, we could only conjecture.

On the other hand, we were not permitted to tell the jury the whole story behind the trial — the long series of governmental actions siding with AFL Teamsters President Daniel J. Tobin against Local 544-CIO, culminating with the indictment drawn up by the Department of Justice. Whenever Goldman approached this question, the prosecution jumped up to object and was sustained by the judge.

We imagined that the atmosphere in the jury box lightened in our favor when our main defense witness, James P. Cannon, was on the stand for two days, outlining in the simplest and most graphic terms our socialist ideas.

But then came Anderson pouring down upon the jury, and it seemed as if the defense testimony of Cannon, V. R. Dunne, Farrell Dobbs, Grace Carlson and the Minneapolis truck drivers who came to speak for us, were so many matchsticks swept away by the torrent let loose by Anderson. And whatever Goldman could do in his final argument, he would be followed by Assistant Attorney-General Schweinhaut: the prosecution has the privilege of both preceding and following the defense in final argument.

Such were the onerous conditions under which Albert Goldman spoke for two days, for a total of ten hours.

The speech, as those who will read it can see for themselves, is austerely simple in its construction. There are no tricks in it, nor flights of rhetoric. The secret of its great power is that it is an unadorned but carefully clarified explanation of what socialism is, what the defendants really stand for, in contrast to the dime-novel tale elaborated by the prosecution. Such was the task Albert Goldman set for himself: to try to make those twelve jurors understand who we defendants are, what we believe, why we believe it, and why we have a moral and legal right to our beliefs.

In a sense, Albert Goldman set out to make socialist sympathizers or half-sympathizers out of those jurors. The perfect civil libertarian may say: "I abhor to the death what you believe in but I will fight to the death for your right to say it." But the ordinary mortal, sitting as a juror, if he abhors to the death what you stand for, is fairly certain to vote guilty. Albert Goldman set out to get those jurors to cease abhorring socialism and, if not to embrace it, at least to recognize the sincerity, sanity and seriousness of the defendants and their ideas.

At no time did any of us hope for an acquittal. In the face of the capitalist court system, the jury-choosing procedure and the enormous advantage on the side of the prosecution, an acquittal was too much to expect. The most we could hope for was to convince one or two jurors sufficiently to get them to hold out against conviction — a hung jury, it is called.

We now know how near Albert Goldman came to that greatest possible victory. Information from jurors has now confirmed what the verdict itself made clear — it was a "compromise" between those who wanted to find all defendants guilty on both counts and several jurors who wanted to acquit us.

Why did jurors who believed us innocent finally agree to the verdict which acquitted all of us on the count charging conspiracy to overthrow the government by force and violence; acquitted five of 23 on both counts: but, in return for the acquittals and a recommendation of leniency, voted guilty on the second count charging conspiracy to advocate such overthrow? It must be said for these jurors that they felt the enormous pressure of the capitalist world upon them. One juror, the day after the verdict, told a friend he was "taking plenty heat" because the jury had acquitted Miles Dunne. How much more "heat" the jurors would have taken had they acquitted all of us!

In the few days that we had in that courtroom, we could not transform those jurors, who had never heard of our ideas before, into heroic martyrs ready to brave the vicious anger of the capitalist world. Especially on the very threshold of the declaration of war! If men and women who have been sworn socialists all their lives now succumb, how could we expect more from these bewildered jurors?

The plain truth is that these jurors, who wanted to acquit us picked up from their daily routine and suddenly confronted with this case, could ordinarily have been moved not an inch in our favor. It took the extraordinary capacities of an Albert Goldman to move them, not inches, but worlds, from their capitalist-dominated world into seeing distance of our socialist world.

Thereby Albert Goldman won acquittal for five of us; won acquittal for all of us on the serious charge of conspiracy to overthrow the government by force and violence; and won us a verdict of leniency which the judge announced guided him in setting the terms of our sentences on the day Congress declared war.

That was what Goldman did, and the fruitful consequences of that partial victory will be recorded in the glorious history of the socialist revolution.

Meanwhile, and for the education of future generations to come, there is this "by-product": Albert Goldman's great speech.

"We Are Not Conspirators, But A Political Party Trying To Organize The Majority Of The People For Socialism"

(Continued from page 3)

must be at least 10,000 organizations that permit only members to attend their meetings. Had Mr. Anderson requested it, we would have told him without any hesitation that our membership meetings took place on Thursday nights and that only members were allowed. But had Mr. Anderson done that, it would have destroyed the conspiratorial atmosphere that he has tried to create.

In furtherance of Mr. Anderson's contention that there was a conspiracy, he introduced evidence that our members were known by numbers. It came out during the evidence, however, that the numbers were not given to the members, but were marked on each card. I don't know how many organizations have membership cards with numbers, but there must be plenty of them. But Mr. Anderson wanted to make a conspiracy out of this case, and so he had to transfer the numbers from the cards to the members.

WE PROTECT PARTY MEMBERS

Now then, we come to the final evidence of a real conspiracy! The members were told to destroy the cards. Doesn't that show, asks Mr. Anderson seriously, that these people are conspirators? We admit that the members were told to destroy their cards. This occurred in the Minneapolis branch and did not occur in any other branch throughout the country. The leaders of the Minneapolis branch rightly wanted to protect the rank and file from the kind of persecution that the defendants in this case are subjected to. I admit that Vincent Dunne and Oscar Coover and other leaders of the branch thought seriously of the problem about how to protect the rank and file members — not themselves, because they did not conceal their membership. Vincent Dunne testified and told you that he was a member.

There was no attempt by any of the leaders of the party to conceal their membership in the party. Their names were on the editorial staff, or they were openly advertised as speakers for the party. There was, however, a serious attempt to protect the rank and file from being victimized. Does not this case prove that this was correct? We would have been derelict in our duty had we not attempted to prevent victimization of the rank and file members of the party.

The government, by instituting this prosecution, has more than justified this precautionary measure taken by the leaders of the Minneapolis branch. Let the government say that membership in the party is not illegal; let it not indict people who are innocent; and the membership cards will then not be destroyed. But so long as there is the slightest chance that a member of ours will be victimized, so long shall I and other responsible members of the party attempt to protect the rank and file of our party.

Did James P. Cannon or Vincent Dunne or Farrell Dobbs or Grace Carlson deny their membership in the party? They want everybody to know that they are members of the party, because they want everybody to accept the principles of the party, but they want also to protect the rank and file members of the party.

In his opening statement, Mr. Anderson claimed that there was no provision in the party's constitution for the withdrawal of a member. My, how terrible this sounds! Once a member, always a member, and one dare not withdraw from membership. But from the testimony of the government's own witnesses you could see that people joined the party and left the party on a purely voluntary basis. Why all this rigamarole about no provision for withdrawal of membership? Because Mr. Anderson wants to create the atmosphere of a conspiracy — a conspiracy that never existed and never will exist.

DON'T CALL US CONSPIRATORS!

Every prosecution witness, and Mr. Anderson himself, showed you that instead of being conspirators, we are men and women anxious to proclaim our ideas from the housetops, men and women devoted to our ideas, and extremely interested in getting other people to come to our meetings and to discuss at those meetings. What kind of a conspiracy is it when we publish a weekly newspaper and a monthly magazine, when we ask people to come to our meetings, to

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listen to us and to join our party? Our conspiracy is indeed peculiar; it is a conspiracy that attempts to get the vast majority of the people of the United States to become members of it. We want to convince the majority of the people that they should become as guilty as we are. Open headquarters, open mass meetings, open distribution of literature! Is this characteristic of a conspiracy?

Political propagandists, yes, but don't dare to call us conspirators. Tell the truth, Mr. Anderson, and say that you want us in jail because our ideas are distasteful to you. Tell the truth and say that you want to still our voices, close our headquarters, prevent us from distributing our literature. Don't call us criminal conspirators!

Did we attempt to conceal the organization of the party at the Founding Conference in December, 1937? We would gladly have seen the news of it published in every paper. We published five or ten thousand copies of the party's Declaration of Principles. Alas, that we could not publish five million. We got out a weekly paper, a monthly magazine; we issued innumerable pamphlets and participated in political campaigns. You may call it a conspiracy in legal phraseology, but please remember that it is a conspiracy only in that sense.

You may be convinced that we are guilty of a conspiracy in that technical, legal sense, and it is therefore necessary for me to go on and deal with the object of this alleged conspiracy. You can find that there is a conspiracy, and yet you can easily conclude that we are not guilty if you see that the object of the conspiracy is nothing that is illegal.

DOCUMENTS VERSUS VERBAL TESTIMONY

Here we must stop a moment to consider the types of evidence introduced by the prosecution. One type is documentary evidence, consisting of articles, excerpts from articles, pamphlets, excerpts from pamphlets, resolutions and excerpts from resolutions: you can read them, study them, analyze them.

Then there is the second type, consisting of statements alleged to have been made by the defendants and testified to by witnesses for the prosecution.

You must keep the distinction between these two types of evidence clearly before you, because it is an exceedingly important distinction, and a great deal depends upon it.

One generalization that almost all people will agree to is that memory is a very treacherous thing. It is the almost universal experience of all lawyers and of all judges that you can hardly ever get ten people who see the same event to testify to exactly the same thing. It is almost a universal rule that, if all ten witnesses tell the same story, they have undoubtedly been coached. If ten witnesses, testifying about a certain speech alleged to have been made a year or two before the testimony, repeat certain statements of the speech in the same way, then it is almost a sure sign that they are falsifying.

It would be horrible to think that a jury would actually find defendants guilty on the basis of evidence of certain statements alleged by witnesses to have been made by the defendants a year or two or three before the trial.

Ladies and gentlemen, do you need any more proof of that than the fact that the attorneys for the government and the attorneys for the defense disagreed as to what was said an hour after a certain statement was made by a witness? Several times we squabbled about what a witness was supposed to have said the day before. Did I mean to say, when I disagreed with Mr. Anderson, that he was a liar, or did Mr. Anderson mean to say that I was a liar? Not at all. One of us simply did not remember what was said. We always had to go to the record.

But when Mr. Anderson states that he bases his case primarily on the testimony of witnesses who testified to hearing some of the defendants make certain statements a year or two or three years ago, then I am justified in concluding that Mr. Anderson is not dealing fairly with the defendants. Consider the tremendous and terrible possibilities of such a situation. An enemy of yours goes to Mr. Anderson and says: I heard him say he wants to overthrow the government by force and violence. And Mr. Anderson thereupon hauls you before a jury. All that you can say is that you did not make the statement, and the jury may or may not believe you. Can you not see the terrible possibilities in such a case?

I shall show you later that the testimony of the government witnesses is absolutely worthless. It is not only worthless, but most of it consists of downright perjury. But leave that out of consideration. I repeat: even if you were convinced that the government's witnesses meant to be honest, you should not pay any attention to their testimony of verbal statements alleged to have been made years ago.

THE COURT: We will have our morning recess at this time.

* * *

THE COURT: You may proceed, Mr. Goldman.

MR. GOLDMAN: So that, as between documentary evidence and statements alleged to have been made by the defendants and testified to by the government witnesses, it is my opinion that fairness and justice demand that you should exclude the verbal statements.

WHICH DOCUMENTS ARE IMPORTANT?

Which of the documents that have been introduced should you consider most important?

Counsel for prosecution will undoubtedly say all documents are important and of equal weight but, ladies and gentlemen, here you must take your experiences of life into consideration and base your judgment on those experiences. A mass of about 150 exhibits have been introduced. Articles written by the defendants, pamphlets written by the defendants, articles and pamphlets written by people who are not among the defendants and whom you do not know have been admitted under the rules of evidence as construed by the Court. Then there is the Declaration of Principles and there are many official resolutions — all are in evidence.

You have excerpts from pamphlets that were written three or four years ago by persons whom you do not know, have never seen and who are not in the ranks of the defendants. You have articles written in the *Socialist Appeal* and in *The Militant*, in the *New International* and the *Fourth International*, written by people who are not among the defendants.

The question immediately presents itself: Should you give equal weight to all these documents? Should you, for instance, give as much weight to an official declaration of the party as to an article written by someone who is not among the defendants? It would be absurd not to make a distinction between an official resolution of the party, representing the thought of the most responsible party leaders, and a casual article written by someone whom you do not know and who obviously is not a leader of the party. If he were, he would be here amongst the defendants. Four of us were bought here from New York to cover up the fact that this case is essentially a prosecution against the leadership of Local 544-CIO — to cover up the real motives of the prosecution.

PROSECUTION EMPHASIZES CERTAIN PAMPHLETS

The prosecution has used and will use certain pamphlets for the purpose of trying to get you to bring in a verdict of guilty. Especially is the prosecution interested in having you concentrate your attention on the pamphlet "Are We For War" by Draper and the mimeographed pamphlet, "What Is Trotskyism" by Weber. But I want to point out to you that they were not official declarations of the party. The Draper pamphlet was not even published by the party. The pamphlet "What Is Trotskyism" was mimeographed — not printed — and it is obvious that this pamphlet was not for popular distribution.

I would be justified in asking you to judge me only by my own writings and not to condemn the other defendants on the basis of my writings. If there is any rule of law which has been emphasized in Anglo-Saxon tradition, it is that a person must be held responsible for his own acts and not for the acts of others.

It is true that in a conspiracy case the rules of evidence are relaxed and testimony is permitted which is not permitted in other cases but even in a conspiracy case, as fair-minded individuals, you should try to uphold that tradition of Anglo-Saxon law.

I am willing to be judged by my own writings and by the official declarations of the party and by the writings of other responsible leaders, insofar as I agree with them. I do not think that others should be judged by my writings. I am not stating that as a legal proposition applicable in a conspiracy case; I am stating it as a proposition of fairness and justice and not always does the law coincide with fairness and justice. I can see Mr. Anderson trembling at that statement but no one with any experience in the law courts can deny that it is the truth.

It would be the greatest travesty of justice if you were to convict people here in Minneapolis on the basis of articles written by persons who are not even defendants and who obviously do not play a leading role in the party.

We didn't sit day in and day out and try to figure out what Mr. Anderson and Mr. Schweinhaut were going to pick up from pamphlets, from *The Militant* or the *Fourth International* and present as evidence before the jury. We permitted many people to express their own ideas in their own ways. And everyone who knows anything about editing a paper understands that in the rush of getting copy and sending it to the printer certain expressions are always overlooked.

Take into consideration all of the documents but in all fairness to the defendants, give first place to the official documents — to the Declaration of Principles and official resolutions — and second place to the articles and pamphlets written by the responsible leaders.

The attorneys for the government have read excerpts — an excerpt here and an excerpt there. I could have read excerpts also. How far would it have aided you in coming to your decision? What I shall try to do and in my opinion what you should try to do, is to get as complete a picture as possible of our full program, not an excerpt here or an excerpts there. I shall attempt to give you, by taking the Declaration of Principles, Cannon's speeches and my articles and pamphlets and the article of Farrell Dobbs on trade unionism, an analysis of our program. That is all I can do and all I shall try to do. I cannot stop to discuss every excerpt. If an excerpt is read to you by the prosecution, all I can say is: take it into consideration but remember that it is part of a program. You cannot judge us by an excerpt. You must judge us by the whole program.

I shall skip over lightly and briefly those items in the program which are not very material and immediately proceed to the heart of the questions that have been raised by the prosecution.

WE ASPIRE TO BRING SOCIALISM

In the first place it is necessary to get an idea as to the fundamental object of the conspiracy charged against the defendants. What is the aim of this great conspiracy? If there is any conspiracy at all, its fundamental object is to get a majority of the people of this country to establish socialism. That is the sum and substance of the conspiracy. If you are interested in finding out the general outlines of what we consider to be a socialist society, you can do so by reading our Declaration of Principles and my pamphlet "What Is Socialism".

The fundamental feature of a socialist society will be that all the means of production — the railroads, the mines, the factories — will be owned by the people and the goods that will be produced will be produced for use. Under the present system, which we call capitalist, the means of production are owned by private persons or corporations and although some owners may be very good and charitable gentlemen, they operate their industries not because people need the goods that they produce but because they want to make a profit.

Under socialism the people will decide how many pairs of shoes, how many garments, how many hats, how much coal, how many houses will be needed to satisfy the needs of the people and these things will be produced. The productive wealth of society — not goods for consumption such as a coat, or a shirt, or a radio or an automobile — but the productive wealth of society — machinery, factories, mines — will be owned in common by the people and goods will be produced for the use of the people.

There will be no classes under socialism — that is, there will be no class that owns the wealth and no class that is exploited. Today a worker only has his labor power and he sells that to someone who owns machinery and he gets a wage in return and the man who owns the machinery makes a profit out of the labor power. This is what socialists term exploitation of labor.

Individuals under socialism will, of course, have different capacities. But no one will be permitted to own any productive wealth and thus exploit labor.

WHAT SOCIALISM CAN DO FOR HUMANITY

In the final stage of socialism, which some theoreticians designate as communism, the productive forces of society will be so greatly developed and the education of the people will be such as to enable society to follow the principle: From each according to his ability; to each according to his need.

If anyone of you raises the objection that human nature makes that impossible, I simply ask you to go to that section of my pamphlet "What Is Socialism" which deals with the problem of human nature. Under socialism people will be educated not to think of profit but of service to society. Great scientists even now do not work in their laboratories because they expect to make millions of dollars; they work because they are interested in science.

It will of course be necessary to educate the new generation and it may take time, but given new social conditions it is absolutely certain that it can be done. Given a society that produces enough to satisfy the needs of all human beings, the struggle between human beings for the means of life will be abolished. If 12 people have 5,000 apples between them and in addition know that they can get as many apples as they can possibly eat, there will be no quarrel amongst them for apples. A society that will produce enough to satisfy the reasonable needs of people will do away with all the brutal struggles characterizing present day society.

To establish a new social order it will be necessary in the first place to create a new government which we call by the name of Workers' and Farmers' Government. You can see that I am only touching on essentials. I haven't the time to do any more. What will be the duty of that government? To take over the means of production now owned by capitalists and begin operating them for the benefit of the people; and also to begin the education of a new generation to transform the human being from what he is under capitalism into what he should be under socialism.

THE WORKERS' AND FARMERS' GOVERNMENT

That Workers' and Farmers' Government is technically called a dictatorship of the proletariat. When that phrase is uttered by Mr. Anderson or Mr. Schweinhaut it sounds terrible. The defendants are in favor of dictatorship! Of course it is nothing but a technical term indicating simply that the government representing the workers and farmers will take the productive wealth away from those who own it today, from the Sixty Families and their satellites. To that extent it will be a dictatorship. A dictatorship of the vast majority against the very small minority.

Will this "dictatorship of the proletariat" be a democracy or a dictatorship in the usually accepted term? Read page 8 of Exhibit 1 — our Declaration of Principles, and you can see that the term "dictatorship" as commonly used is not applicable to the dictatorship of the proletariat. That section reads as follows:

"While the workers' state will necessarily reserve to itself the indispensable right to take all requisite measures to

(Continued on page 5)

The Workers State Will Create True Democracy

(Continued from page 4)

deal with violence and armed attacks against the revolutionary regime, it will at the same time assure adequate civil rights to opposition individuals, groups, and political parties and will guarantee the opportunity for the expression of opposition through the allotment of press, radio and assembly facilities in accordance with the real strength among the people of the opposition groups or parties."

That goes far beyond the democracy that exists at present. A Workers' and Farmers' Government will not only permit free speech and free press and free assembly in the abstract but will see to it that a minority will have the means to exercise that freedom. Democracy to a certain extent exists under the present regime. But consider the essence of the question: A few workers have the constitutional right to publish a paper but they lack the funds with which to publish a paper. Their right is an abstract one. On the other hand one individual publishes a chain of papers because he has the money, and his right is a real one.

The rights under capitalist society granted by the government representing capitalist interests are, by and large, abstract rights. A famous French writer, Anatole France, expressed this idea as follows: "Under capitalism rich and poor are equal. They both have the right to starve in the streets." The difference is that only the poor man exercises that right to starve.

Will Permit Free Speech, Press And Assemblage And Will Also Give Minorities the Means to Exercise Them

When the term dictatorship of the proletariat is mentioned, you must not think of it as a dictatorship of Hitler or Stalin. Trotsky began a struggle against Stalin because of the very fact that Stalin transformed the dictatorship of the proletariat into a personal or a clique dictatorship. Under the dictatorship of the proletariat there will be far, far greater democracy than has ever existed on the face of the earth.

OUR AIM IS TO ESTABLISH A SOCIALIST SOCIETY

We come now to the heart of the question, the question of whether or not we are guilty of conspiring to overthrow the government by force and violence. As the evidence shows, the main object of our so-called conspiracy is to establish a socialist society. How do we intend to do that? That is the main question at issue.

As I shall attempt to show you, all other questions — such as our attitude on war, on trade unionism, our military policy — are subsidiary. The question of guilt or innocence must be determined on the main issue and not on the subsidiary issues. But it is impossible to decide the main issue without considering certain fundamental concepts of socialism.

In the first place, let us get clear what is meant by the term government. Let us not be awed by an abstraction. Men and women elected or appointed to office and having prerogatives constitute this thing we call government. These men and women are not any more gifted than you or I. They have certain authority. Sometimes they abuse that authority — very frequently they do so. Place a man in a position of power and the chances are that he will take advantage of his position and exercise his authority at any and all opportunities. Some people in authority remain courteous; others are corrupted by it.

DO WE ADVOCATE VIOLENCE?

The phrase, destruction or overthrow of the government, raises in most minds a terrible picture of the use of weapons and violence. But you can see that to abolish or destroy or overthrow a government can mean and usually does mean, replacing certain individuals, organized in a certain way, basing themselves on certain concepts, replacing them with other individuals, organized in a different way and basing themselves on different concepts.

"Whenever any form of government becomes destructive to these ends the people have a right to alter or abolish it and institute a new government in a form most likely to effect their safety and happiness." The writers of the Declaration of Independence who formulated the horrible idea that the people have a right to abolish a form of government are not amongst the defendants. The words "overthrow, abolish, destroy" do not necessarily connote violence. They simply mean that the people using those words want to change the government so that it will be based on entirely new principles.

We use the term "capitalist government" — a terrible phrase to some people — does it mean that all those who are elected to congress or to any executive or judicial office are themselves financiers and capitalists? No, it simply means that the government which we call capitalist bases itself upon the rights of private property in the means of production and does everything in its power to protect those rights. Essentially a capitalist government is a government which has as its main function the protection of the existing property relationships.

There are different types of capitalist governments — some conservative, some liberal. As you know, Roosevelt and some people in his government have been called communists. That of course, is absurd but it proves that if one does not like a person or does not agree with his policies, it is a good idea to call him communist. Though some people call the Roosevelt administration communist, we designate it by the term capitalist. It is a capitalist government by virtue of the fact that private property in the means of production exists and the government protects the rights of private property in the means of production.

You must remember that what we are interested in primarily, as is shown by the evidence, is not to change the government but the social system upon which the government is based. We call the present social system capitalist because men are permitted to own productive wealth and to hire and exploit wage labor.

We want a socialist society where all the productive wealth is owned in common and there is no exploitation. What type of government do we want? That is a question of secondary importance. If, for instance, socialism could be introduced under the present form of government — with the two Houses of Congress, the Executive, the Judiciary — we would not hesitate to do so.

OUR FORM OF GOVERNMENT

In our Declaration of Principles you will find proposals for occupational representation. Instead of having representatives from certain territories, we think it is best for the workers and farmers to elect their representatives directly from factories and from the farms. We believe in the principle of occupational representation because we think that anyone elected by his fellow-workers or fellow-physicians or fellow-scientists, is far more likely to represent the real interests of his group. There will be no representation of lawyers under socialism because lawyers are a plague that will no longer exist in a socialist society.

Under a Workers' and Farmers' Government there will be one House of Congress instead of two. Our present form of government operates on the principle of checks and balances. The Senate checks the House of Representatives, the President checks both Houses of Congress and then the Judiciary has a check on both the executive and the legislative branches. This, in our opinion, is far from democratic and was instituted primarily to prevent the masses of people from exercising their will in the matter of legislation.

Originally the senators were elected, not by a direct vote of the people but by the legislators of the different states, thus enabling the wealthier citizens to get into the Senate of the United States. Later on, by an amendment to the Constitution, the senators had to be elected by the people. We, on the other hand, want a complete revolution in the form of government. We want a government organized in such a way that it can best serve the interests of the producers. I know that the term "revolution" sends shivers down the back of Mr. Anderson and he hopes that the same shivers will run down the backs of the jurors. But remember that the term "revolution" does not necessarily imply violence.

I think the Court will define that term for you — a definition as is found in Webster's dictionary. It simply means a radical change and social revolution means a radical change in society. Do we not speak of a revolution in science, a revolution in transportation? We even speak of a revolution in women's dresses.

We want a social revolution; that is undeniable. By that we mean that our aim is to transfer the economic and political power from the class we call capitalists to the workers and farmers. When that happens, a social revolution will have occurred.

The French revolution, as Mr. Cannon correctly testified, was a social revolution because the merchant and capitalist class displaced the feudal class. The power to rule society was transferred from the landowning feudal nobility to the merchants and industrialists.

There may be political revolutions that are not social revolutions. The revolutions that occur frequently in Latin America are political revolutions because they do not change the social system.

A social revolution may or may not be accompanied by violence. No one knows exactly how it will occur in the future.

WHAT IS THE MARXIST CONCEPTION OF SOCIAL LAWS?

Marxists are of the opinion that society operates on the basis of certain laws. It is important for you to understand that basic idea. I do not ask you to agree with our concept of society, but I do ask you to understand what our concept is. For if you realize that we believe that certain laws operate in society, independent of our will and of your will and of Mr. Anderson's will, you will see that it would be impossible for us to conspire to overthrow the government by force and violence. The responsibility for a revolution lies not upon us but upon the very nature of the social system in which we live.

Some of you might have heard or seen in print the phrase, "economic determinism". It is not the theory of socialism, but it does give you an idea that socialists consider the economic factor the determining factor in the development of society.

The primary concern of human beings has always been to feed, clothe and shelter themselves. As human beings lived together, certain necessities drove them to invent certain machines and with the invention of these machines production could increase and with the increase in production changes occurred in the economic and social system.

Struggles arose between groups and the victors made slaves out of the vanquished. A system of slavery arose and the forces of production continued to develop.

More machines were invented; the forces of production increased; society developed further and ever further and class struggles arose; slaves revolted against masters; the social system based on slavery could no longer function effectively and that social system was displaced by a new system.

PRE-CAPITALIST CLASS STRUGGLES

What is known as feudalism came into existence. He who owned the land had the right to exploit the man who worked on the land and this man who worked on the land was called a serf. In comparison with the chattel slave, he was a free man but nevertheless he could not leave the land.

But society continued to develop; the discovery of America gave a tremendous impetus to the development of industry; new markets came into being; new machinery was invented; the forces of production grew and with it a new and powerful class came into being — the merchant class of the middle ages — and it is this merchant class that constituted the beginning of the modern capitalist class. We call that class the "bourgeoisie" and this class began a struggle against the feudal nobility and finally conquered and became the dominant class in society.

Thus you see that, in our opinion, a class struggle has existed since time immemorial. The chattel slaves struggled against the masters, the plebeians struggled against the patricians, the serf against the feudal nobility; and today we have the fundamental struggle between the capitalists who own the wealth and the wage workers who create the wealth. And is this struggle a result of man's will or desire? No, it is a struggle that is due fundamentally to the development of economic forces. A social system is born, develops, decays and is displaced by a new social system — all this by virtue of laws that operate independently of the will of human beings.

A new social system gives birth to new ideas, to new moral concepts. Under the feudal system in the Middle Ages, for instance, the church prohibited the lending of money on interest. To lend money on interest was considered usury. But with the development of the merchant class and the capitalist system, the lending of money became an absolute necessity and obviously people would not lend money unless they could make a profit out of it. The rule of the church against usury was abolished and interest up to a certain point was sanctified.

THE CLASS STRUGGLE IN SOCIETY TODAY

I mentioned before the existence of the class struggle in society. Look at our social system and you can see for yourselves how this struggle operates. The tenant farmer struggles against the landlord, the sharecropper against the southern plantation owner, the worker against his employer, farmers and workers together against Wall Street. Why is our society subjected to these struggles? Because each social group wants a larger share of the income that society produces.

Of all the struggles existing in modern society, the one between the industrial wage worker and those who own the industries is the bitterest and most virulent. It is the fundamental struggle of our epoch.

That is not our responsibility, ladies and gentlemen. In comparison to the number of wage workers, our party constitutes a small group; the class struggle goes on without us.

Unfortunately we have not as yet achieved an influence which can permit us to play a decisive role in that struggle. Mr. Anderson is anxious to prevent us from achieving that influence and that is why he asks you for a verdict of guilty. But I can assure Mr. Anderson that the class struggle will go on even if we should be in jail. The coal miners are on strike now. We have nothing to do with it. We had something to do with Local 544 in Minneapolis and that is why we are defendants in this court room. But the struggle between the teamsters and the Minneapolis employers is only a tiny section of the class struggle that goes on constantly throughout the United States. That struggle goes on whether Mr. Anderson and Mr. Schweinhaut like it or don't like it.

The struggle between the worker on the one hand, anxious to get a higher wage, and the employer on the other hand, anxious to make more profit, is a struggle that will go on regardless of the desire or the intention of any man. There are some employers who are willing to give higher wages but they are prevented by the law of competition under capitalism. By and large the employers are anxious to make more and more profits and, because of that, the class struggle must necessarily continue.

THE COURT: We will have our noon recess at this time.

* * *

THE COURT: You may proceed, Mr. Goldman.

WHEN MEN CAN BE GOOD

MR. GOLDMAN: Throughout history there have been men who dreamed of changing society. They saw the poverty, the oppression, the persecution and hatred that prevailed in the world and concluded that the only way by which these evils could be abolished was to have men accept the right kind of beliefs. The prophets of old, Christ, the philosophers of the Middle Ages thought they could change society by teaching men to be good. If only people actually practiced the Commandments!

Then came Karl Marx who presented the startling proposition that to change man, you must change the social system. It is impossible to have a society where love between men and men prevails, unless you have a society where the struggle for economic existence is done away with. Under the present social system, mean, petty and violent struggles prevail in all classes. Way up on top there are struggles for colonies and spheres of influence; then there are struggles in the form of bitter competition between business men; there are struggles between the small business men and the chain stores; there are struggles between workers. Everywhere in society struggle prevails.

There are some people who claim that the human being is essentially bad and no attempt to change his nature can succeed. But when one considers that in spite of the meanness and violence that prevails in society, there are millions of decent human beings, one must come to the conclusion that the human being is essentially good.

Marx concluded that before man can develop to a point where the relationship between one human being and another will be on a decent basis, society will have to be altered. Under the present social system all moral codes and all ethical concepts are accepted, by and large, only in words. People believe in religion, believe in the Fatherhood of God and the Brotherhood of Man and yet they are ready to kill one another by the millions.

Marx formulated the following proposition: That the ideas, the philosophies, the religions and the morals of a certain epoch are determined fundamentally by the prevailing social system; change the social system and the ethical codes and philosophies will also change.

CAPITALISM IN DECLINE THROUGHOUT THE WORLD

There are certain diseases in youth which are latent and not until old age sets in does the individual become aware of their existence. The human body has powers of resistance which decrease with old age. Germs which have no ill effect in early age become very dangerous in later stages in life.

Thus it is with the capitalist system. During its youth the contradictions existing within it were easily overcome. In this country, for instance, there were vast stretches of land available for agriculture and settlement; factories could be and were built; railroads were developed. But as the land was occupied and more and more factories were built, it became more difficult for the capitalist system to function. The economic crises which were easily overcome in the early stages of the capitalist system of this country became more serious until in 1929 a crisis came that shook the very foundations of the country.

Throughout the world the capitalist system is in a stage of decline. Old age has set in and the contradictions inherent in the capitalist system have become acute. Unemployment, fascism, catastrophic wars — these are the diseases that afflict capitalist society in its days of decline. Are the defendants responsible for that? Not in the least!

This country is capable of producing tremendous quantities of goods to satisfy beyond all imagination, the needs of the people. But the industries cannot function for peace, for life — they function only for death. They are now creating planes and bombs and submarines and dreadnaughts but the industries were shut down which people needed for clothing and food and shelter.

And in this period of capitalist decline people are dissatisfied and fascism appears on the scene and takes advantage of their dissatisfaction. The fascists, claiming to create a new order, are actually throwing the world back toward barbarism. Everything that man has produced that is worthwhile is destroyed by this monster. The existence of this monster, however, is not to be attributed to Hitler or Mussolini — to the ill will of one or two or a dozen men — it is to be attributed to the decline of the capitalist system. Capitalism has reached a point where mankind must take control of the productive forces and begin producing goods for the use of the people — and this means socialism —or else it will be hurled into the abyss of fascism and destruction. This is our belief and this is what we teach.

But how will this change from capitalism to socialism come about? Here we come to the heart of the case.

Do we advocate the idea that people should take up arms and destroy the government and thereby bring a change in the social system? By the destruction of the government is necessarily meant, according to Mr. Anderson, the destruction of the people who represent the government and the army and the navy.

SOCIALISM REQUIRES A MAJORITY

From the very beginning of the socialist movement there have been struggles around the question as to the best method of changing the social order. Marx fought vehemently against the anarchists, who declared that no government at all is necessary and that every form of government is hostile to the masses.

Then there was a controversy between Marx and a Frenchman by the name of Blanqui, who insisted that a social revolution required only a courageous, armed small group. Marx declared that the liberation of the people is the task of the people themselves and not the task of a few agitators, no matter how determined and courageous. The majority of the people must understand what is necessary and must be willing to struggle to achieve their liberation.

In the "Communist Manifesto", written by Marx and his collaborator Engels, the fundamental ideas of socialism were first formulated. That book was introduced into evidence by the government against the defendants. In that book there is found the following statement:

"All previous historical movements were movements of minorities or in the interest of minorities. The proletarian movement is the self-conscious, independent movement of the immense majority in the interest of the immense majority."

Marx therefore accepted two fundamental principles: one, the necessity of convincing the majority of the people of the ideas of socialism, and two, the necessity of establishing a government that will begin building the socialist society.

Next week's MILITANT will carry another section of Albert Goldman's final summary to the jury. Be sure to follow this stirring appeal by the counsel for defense, who is himself one of those tried and convicted.

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JOIN US IN FIGHTING FOR:

1. **Military training of workers, financed by the government, but under control of the trade unions. Special officers' training camps, financed by the government but controlled by the trade unions, to train workers to become officers.**
2. **Trade union wages for all workers drafted into the army.**
3. **Full equality for Negroes in the armed forces and the war industries—Down with Jim Crowism everywhere.**
4. **Confiscation of all war profits. Expropriation of all war industries and their operation under workers' control.**
5. **For a rising scale of wages to meet the rising cost of living.**
6. **Workers Defense Guards against vigilante and fascist attacks.**
7. **An Independent Labor Party based on the Trade Unions.**
8. **A Workers' and Farmers' Government.**

"Equal Sacrifice"

Labor and capital have each been served virtual ultimatums. Labor is told it must surrender its right to strike. Capital at the same time must agree not to resort to lockouts. Both classes, it is argued, will thereby be accepting an equal sacrifice.

The argument is wholly erroneous. The sacrifice would be on labor's part alone.

This is a period of expanding production, rising prices and soaring profits. It is a period in which simply maintaining the status quo with respect to wages permits a steady increase in profits. Increased production and higher prices in terms of fixed wages mean lower unit labor costs. Why should the bosses have need to resort to lockouts? They are undoubtedly satisfied, for the time being, to "freeze" existing conditions. It's no skin off their noses and it's more dough in their pockets.

For labor, however, the status quo in wages means steadily declining living standards. Inflationary prices, so profitable to the owning class, keep slicing larger and larger chunks from the fixed money incomes of the workers.

All capital has to do to protect its interests — and even advance those interests by a good many notches — is to have things remain as they are. It is labor alone which must continuously struggle even to hold on to what it has already won.

The only purpose a lockout might serve the employer is as a counter-offensive to the efforts of the workers to organize and take action for better wages and conditions. A lockout is not under all conditions altogether profitable to the employer, especially in boom times. Production is cut and therewith profits. A lockout is a long-term investment realizing dividends only after it has succeeded in smashing a union and made it possible to enforce longer hours, speedup and lower wages.

Moreover, lockouts are and have always been only a minor weapon in the bosses' arsenal of anti-labor artillery. The employer's purpose is just as well served, under present conditions, if the workers are deprived of their most effective bargaining weapon, the strike, the deadliest enemy of the status quo in wages.

All the risk in adopting such a policy rests with labor. All the benefit lies with the employers.

This applies with equal weight to every type of labor dispute, over collective bargaining rights, working conditions, the union shop.

Suppose an employer refuses collective bargaining rights to a union. What sacrifice does it entail for him to refrain from a lockout? He simply refuses to deal with the union, and what can the workers do about it? For one thing, they can't strike. That means they are immediately deprived of their strongest weapon for securing their bargaining rights.

They can appeal to a board. In the best event, a decision of the board instructing an employer to recognize the union might come after weeks and months of delay. The employer finally meets with the workers. But he just sits tight, and stalls as long as he can. What can the workers do about it? For one thing, they can't strike. So they appeal to the board again. There are more weeks and months of delay. And every day, the employer's profits continue to rise; every day price rises take a little more from the workers' fixed wages.

This is entirely to the advantage of the employers. They have nothing to lose and everything to gain by agreeing to this "sacrifice" of no lockouts if the workers agree not to strike.

It can be readily seen that the tendency of a no-strike policy is to "freeze" wages and working conditions. But profits can pile up without limit even if the bosses don't use lockouts. Total corporate net profits — after all taxes are deducted — will rise an estimated 31 per cent in 1941 over 1940. There is every reason to believe they will go even higher in 1942. The leaders of labor are fervently hoping that wages will continue to hold their own and that prices will not rise too high. That is all they can do if they give up the right to strike.

Workers must understand the fraud in this theory of "equal sacrifice". They must understand that it is actually intended as a blow at their own living standards. And they must take effective steps against it.

Welcome News From The Soviet War Front

In the last few days the Red Army has scored a number of important military successes. With the recapture of Klin, 51 miles northwest of Moscow, and the advances in the Tula region, the immediate threat to the encirclement of the capital has been eliminated. Of great importance is the recapture of Tikhvin, the strategic rail center below Leningrad. It not only eliminates for the present the threat of the complete encirclement of Leningrad, but safeguards the communications to Moscow and makes possible the restoration of direct rail communication between Leningrad and Moscow. The news from other sectors (Orel region, Kalinin salient, the Southern front) continues to be welcome to the defenders of the USSR.

It is clear that the German armies are not executing an orderly withdrawal to prepared winter positions, as was claimed by official Berlin dispatches. On the contrary, the German armies are being pushed back by a series of offensives.

There is indirect but highly symptomatic indication of the importance of these advances by the Red Army, namely, the fact that Moscow dispatches are now featuring Stalin's "central" role in the latest developments. He is credited with having "handled everything from the beginning — conception of the plans of operations, disposition of reserves and technical equipment." (*Daily Worker*, Dec. 16). In addition, we are told, it is Stalin who gave "personal attention to every warrior's clothes, shoes and food" (*idem*).

This is the first time that Stalin's name has been linked in this manner with military developments. The reason for this is not difficult to find: today as yesterday Stalin's name is never linked officially with reverses and defeats but only with victories. Since the beginning of the Soviet-German war, and especially since Stalin's assumption last July of the posts of War Commissar and Commander in Chief of all the armed forces, the Red Army suffered terrible defeats; and throughout this period the Kremlin press featured Stalin's role not as War Commissar but rather as Premier. Now that victories are being scored, the Kremlin rushes to the forefront with the ritualistic glorification of the "leader".

In the white-hot atmosphere of war this attempt to refurnish the prestige of the regime will in the end achieve just the opposite effects from those intended. By assigning to Stalin the chief credit for the recent victories, the Kremlin will succeed in drawing the attention of the Red Army, the Soviet workers and peasants to Stalin's responsibility for the previous defeats and the present grave plight of the country.

One of the indubitable effects of these victories will be to raise the morale of the Soviet masses and the Red Army. Their attention from now on will become centered more and more on the leadership and its policies. Failure to follow up successes, on the one hand, or any future reverses, on the other, will not be ascribed by the masses to their own impotence, or the "invincibility" of the enemy, but rather to the incompetence and inadequacy of their own leadership.

Successes on the military arena in war time carry with them the threat of bringing to the breaking point the contradiction between the Kremlin regime and the needs of victorious defense. That is the primary reason why Stalin is being defied once again.

There is another extremely important development which acts to center the attention of the Soviet masses on the leadership and its policies. Because of the extension of the second World War to the Pacific, it is impossible for the Kremlin to delude the people with the promise that aid will soon come from the outside in the shape of a "second front". The Soviet Union is not only compelled to bear the full brunt of the German military machine, but faces the added danger that Japan may strike in the East, whenever the Japanese imperialists decide the time is propitious.

The logic of developments poses before every Red Soldier, worker and peasant the question: Where will we now find the assistance we need to defend the USSR successfully?

The traditions of the Civil War of 1918-1920 which have already played such a great role in the war can alone supply the answer. Millions of men and women in the USSR today remember the effect that the revolutionary summons of the Soviet Government of Lenin and Trotsky had upon the workers of Europe. If not today then on the morrow they will begin demanding of the Kremlin: "Why are you afraid to issue this same revolutionary summons to our brothers and sisters in Europe, and above all in Germany?"

C.P. Distorts What Lenin Said On Junius Pamphlet

The Stalinists Are Using What Lenin Wrote In Defense of Self-Determination In 1916 to Justify Their Position On the War Now

By JOHN G. WRIGHT

During the first World War the social democrats tried to justify their support of the imperialist war by ascribing their false position to Marx and Engels. The Stalinists in repeating today the treachery of the Second International are resorting to a falsification of Lenin's teachings.

In August 1916, Lenin reviewed a pamphlet by Junius, i.e., Rosa Luxemburg; and in the course of this review he criticized certain errors contained in her pamphlet. Extracts from Lenin's review have been reprinted, with an "introduction" by Robert Minor, in the October, 1941 issue of *The Communist*, the "theoretical" organ of the American Stalinists, who, as is well known, are maintaining the thesis that the present war began as an imperialist war, but has been transformed into a national war. They have seized upon Lenin's review because in it he deals with the *theoretical possibility of all sorts of transformations*, including the transformation of imperialist war into a national war.

In the *Daily Worker*, the Stalinists do not attempt to justify their position on the war by anything but accepted social-patriotic arguments. However, when Stalinist rank and file members or sympathizers begin to question the correctness of the Stalinist war line, they are referred to the article in *The Communist*, and in particular to Minor's introduction, for the "Leninist" answer to their doubts and questions.

LENIN ON JUNIUS' ERROR

The central passage from Lenin's article on which the Stalinists erect their fabrication reads as follows:

"It is highly improbable that this imperialist war of 1914-1916 will be transformed into a national war . . . Nevertheless, it cannot be maintained that such a transformation is *impossible: if* the *European* proletariat were to remain impotent for another twenty years, *if* the present war were to end in victories similar to those achieved by Napoleon, in the subjugation of a number of viable national states; *if* imperialism outside of Europe (primarily American and Japanese) were to remain in power for another twenty years without transition to socialism, say, as a result of a Japanese-American war, then a great national war in Europe would be possible." (Lenin's *Collected Works*, Third Russian Edition, vol. XIX, p. 182).

Before we show how the Stalinists fraudulently utilize this quotation, it is necessary to explain why Lenin discussed in 1916 this question of the theoretical possibility of all sorts of transformations.

THE QUESTION OF SELF-DETERMINATION

One of the central planks in the program of Bolshevism, is the support of national wars and the advocacy of self-determination for all oppressed nationalities. This Leninist position played a crucial role in the triumph of the Russian revolution; and it is destined to play an equally important role in the struggle for world socialism.

During the last war, a group of German, Polish, and Russian internationalists who opposed the imperialist war held an erroneous position on the question of self-determination and national wars. The theoretical basis for their position was the contention that under imperialism, national wars were "impossible." This premise was written into the program adopted by them (thesis No. 5 of the International Group adopted by Luxemburg, Mehring, Radek and others). Lenin pointed out that this position was inconsistent with the Marxist method. In October, 1916, in a letter to N.D. Kiknadze, Lenin explained why he dealt with this issue as follows:

POSSIBILITIES AND FACTS

"The discussion concerning 'possibilities' was in my opinion introduced incorrectly from the standpoint of theory by Radek into thesis 5 of the International Group. Marxism takes its stand on the soil of facts, and not of possibilities, Marxism must accept as the premises for its politics *only* clearly and incontestably demonstrable *facts*. That's what we do in our resolution. When in *its place* people profer me an 'impossibility', I reply: this is incorrect, non-Marxist, banal. All sorts of transformations *are possible*. And I adduce an historical fact (the wars of 1792-1815). I adduce for the sake of illustration something similar to it at the present time (under the conditions of a development *backwards*).

"In my opinion you are confusing the *possible* (and I did *not* begin the discussion on this point) with the *actual*, when you express the opinion that the admission of a possibility permits one to alter one's policy. This is the height of illogical reasoning. I admit the possibility that social democrat (Marxist) can be transformed into a bourgeois, and vise versa. This is an incontestable truth. But does it follow from this that I would now accept a *certain* bourgeois, say, Plekhanov as a social democrat? (Marxist). No, it does not follow. But what about the possibility? Let us wait until it becomes transformed into reality. That is all there is to it. Precisely from the standpoint of 'methodology' (about which you write) it is necessary to differentiate between the possible and the actual. *All sorts* of transformations are possible, even that of a fool into a wise man . . . but *actually* such transformations are very rare. And because of the mere 'possibility' of such a transformation, I shall not cease considering a fool as a fool." (Lenin's *Collected Works*, Third Russian Edition, p.p. 237-238).

In 1941 Robert Minor brazenly declares that: "in this article Lenin, with startling accuracy, sketched the possibilities and even foretold as probable a great national war in Europe." (*Communist*, October 1941, p. 880).

MINOR'S DISTORTIONS

"The reader," continues Minor, "will see what the conditions were, as forecast by Lenin. Among them are: If the war of 1914-18 were to be concluded in such a way that 'the proletariat of Europe proved to be powerless for some twenty years,' and if that war were to result in 'victories of the type of Napoleon's and the enslavement of a number of vital national states', if 'extra-European imperialism' held out for twenty years, *and if there should come . . . a victorious revolution in Russia*. If these conditions were to come about, said Lenin, a 'great national war' — i.e., a just war in defense of national independence, would be possible" (*idem*).

In other words, the Stalinist falsification consists not only in claiming that all of Lenin's "conditions" had been fulfilled, but in adding, as Minor does, the successful accomplishment of the Russian revolution as one of the necessary conditions for the transformation of the imperialist war into a national war!

As every school child knows, the first imperialist war did not terminate in "victories of the type of Napoleon's." Nor did he European proletariat remain "impotent." On the contrary, the Russian workers, the vanguard of the European working class, accomplished under the leadership of Lenin and Trotsky the first victorious proletarian revolution and established the workers' state in one-sixth of the world. This victory opened, as Lenin pointed out, a new epoch in world history. Instead of retrogressing, society moved forward after the imperialist war of 1914-18.

It is by such brazen falsification of history that the Stalinists try to turn Lenin's "possibility" not only into a "prediction" but into *reality!*

APPLIED TO PRESENT WAR

If one were to apply to the present war, the conditions set down by Lenin for the transformation of the imperialist war of *1914-1916* into a national war, one would then have to make the following "provisions": 1) not only would the European and world proletariat have to remain impotent "for another twenty years" but also the imperialists would first have to destroy the Soviet Union; 2) the second World War would have to terminate in victories of "the type of Napoleon's"; and "extra-European imperialism" would have survive for "another twenty years without a transition to socialism." We readily grant that this is not impossible. But this is as yet a far cry from the *existing objective situation.*

The Soviet Union still stands, despite the ruinous leadership and policies of Stalinism. The second World War far from having terminated in "Napoleonic victories" for either side, holds out the immediate prospects of a prolonged stale-mate. The prospects of Japanese imperialism, not to mention the German or Italian variety, are none too bright despite the initial victories. World imperialism as a whole is in the grip of its greatest crisis. The European — including the Soviet — working class has yet to say its last word.

It is in these conditions that the Stalinists are advising the working class — the advanced class in modern society — to turn its face not to the future but to the past, in other words, to capitulate without a struggle. This has nothing in common with Marxism and Leninism. We repeat what Lenin said to Kiknadze, "What about the possibility? Let us wait until it becomes transformed into reality." And until then? Until then we continue to base our policies not on "possibilities" but on *reality.*

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Stalin Is Willing To Have The Allies Police The World

By Max Rosen

The Soviet-Polish Pact

The most revealing pronouncement of Soviet policy in the war that has thus far been made public is to be found in the terms of the Polish-Soviet Pact. The role of Stalin reveals itself with the utmost clarity in this document.

The Kremlin has been attempting to create a rift in the rank of its enemies of the Axis camp by means of leaflets in Italian, Finnish, Hungarian, Rumanian and Spanish. The propaganda in these leaflets is confined entirely to an attempt to arouse national hostility against Germany. Naturally a great deal is made of the enslavement of all of Europe by the Nazis for their own benefit. Hitler's allies play only a subordinate, jackal part at best in the game of imperialism. This propaganda will be met very simply by the Nazis. All they need do is to publish the authentic terms of the pact just signed by Stalin and Sikorski.

On the first of the three points of the treaty Stalin makes a sharp differentiation between German imperialism and all other imperialisms. "German Hitlerite imperialism is the worst enemy of mankind — no compromise with it is possible." The new allies agree to fight on with England and the United States to bring the final destruction of the German invaders.

The second point has to do with military aid and the creation of a Polish Army on Russian soil. No doubt the points made public do not give the complete text of the agreement. Or at any rate some discussions must take place on a territorial settlement between the Soviet Union and Poland after the war. All that is stated here is that the two countries will practise neighborly relations, live in peace, and observe honestly all undertakings they assume.

Third Point Most Important

It is the third point that is important for an understanding of Stalin's outlook in the war. That point repeats one to which Stalin had already agreed in his endorsement of the "Atlantic Charter." But it repeats the gist of the matter in a form that the Atlantic Charter avoided very diplomatically. Stalin gives his assurance that he will raise no objections to the policing of Europe after the war by the allies. Stalin says, In short, "Help me to keep my hold on Russia, and the rest of the world is yours. I will not interfere in any way."

Here is the exact statement: "After a victorious war and appropriate punishment of the Hitlerite criminals, it will be the task of the allied states to ensure a durable and just peace. This can be achieved only through a new organization of international relations on the basis of unification of the democratic countries in a durable alliance. Respect for international law backed by the collective armed forces of all the allied states must form the decisive factor in creation of such an organization. Only under this condition can a Europe destroyed by the German barbarians be restored and a guarantee be created that the disaster caused by the Hitlerites will never be repeated."

How does it happen that such a declaration appears in a treaty signed with Poland, rather than with the great powers actually involved? This clause, binding on Stalin (if anything may be considered binding in this war), was in reality dictated by Churchill and Roosevelt. It appears in this treaty because it might have been embarassing had it appeared elsewere. It would have laid the leaders of the "democratic" powers open directly to the charge that they wanted to intervene in and to dominate over all Europe. Certainly plenty of workers in America and England would oppose the idea that the armies of the allies must police all Europe after the war — to put down any attempt on the part of the workers to solve the problems created by the bankrupt capitalist system in their respective countries.

How Stalin Weakens Defense of USSR

Stalin agrees in this treaty to a new Versailles and to a new League of Victorious Nations to enforce the peace on the vanquished. The vague, meaningless reference to a "just" peace will fool nobody who has even the faintest understanding of history. Can Stalin tell us, for example, what sort of peace can be just in the eyes of both the capitalists represented by Churchill and in the eyes of the masses in the defeated and victorious countries?

This agreement plays directly into the hands of the Axis propagandists. It will re-enforce the efforts of Goebbels to frighten the German masses with the thought of a new defeat. He will be able to say that Europe will be under the heels of the democracies not only economically, but also militarily after the war. The Nazis derive even greater benefit because Stalin supplies them with material that can be used to confuse the German masses into believing that the USSR and "democratic" imperialism are "the same." The peace aims of Stalin become identified wholly with those of Churchill-Roosevelt. German workers who were seeking the opportunity to aid the Soviet Union against their own cruel oppressors will feel disillusioned and discouraged.

But none of the promises of Stalin will solve the desperate problem of the "democracies." That problem is how to win the war against Hitler — and yet not create the conditions for a socialist change. We do not envy the "democratic" leaders, even aided by Stalin, their gigantic task.